



2018

INCREASING INCLUSION: THE PURSUIT OF RACIAL DIVERSITY IN THREE HISTORICALLY WHITE UNIVERSITIES IN KENTUCKY, MICHIGAN, AND ONTARIO FROM 2000 TO 2012

David J. Luke

University of Kentucky, david.luke@uky.edu

Digital Object Identifier: <https://doi.org/10.13023/ETD.2018.171>

[Right click to open a feedback form in a new tab to let us know how this document benefits you.](#)

Recommended Citation

Luke, David J., "INCREASING INCLUSION: THE PURSUIT OF RACIAL DIVERSITY IN THREE HISTORICALLY WHITE UNIVERSITIES IN KENTUCKY, MICHIGAN, AND ONTARIO FROM 2000 TO 2012" (2018). *Theses and Dissertations--Sociology*. 36.

https://uknowledge.uky.edu/sociology_etds/36

This Doctoral Dissertation is brought to you for free and open access by the Sociology at UKnowledge. It has been accepted for inclusion in Theses and Dissertations--Sociology by an authorized administrator of UKnowledge. For more information, please contact UKnowledge@lsv.uky.edu.

STUDENT AGREEMENT:

I represent that my thesis or dissertation and abstract are my original work. Proper attribution has been given to all outside sources. I understand that I am solely responsible for obtaining any needed copyright permissions. I have obtained needed written permission statement(s) from the owner(s) of each third-party copyrighted matter to be included in my work, allowing electronic distribution (if such use is not permitted by the fair use doctrine) which will be submitted to UKnowledge as Additional File.

I hereby grant to The University of Kentucky and its agents the irrevocable, non-exclusive, and royalty-free license to archive and make accessible my work in whole or in part in all forms of media, now or hereafter known. I agree that the document mentioned above may be made available immediately for worldwide access unless an embargo applies.

I retain all other ownership rights to the copyright of my work. I also retain the right to use in future works (such as articles or books) all or part of my work. I understand that I am free to register the copyright to my work.

REVIEW, APPROVAL AND ACCEPTANCE

The document mentioned above has been reviewed and accepted by the student's advisor, on behalf of the advisory committee, and by the Director of Graduate Studies (DGS), on behalf of the program; we verify that this is the final, approved version of the student's thesis including all changes required by the advisory committee. The undersigned agree to abide by the statements above.

David J. Luke, Student

Dr. Thomas E. Janoski, Major Professor

Dr. Ana Liberato, Director of Graduate Studies

INCREASING INCLUSION: THE PURSUIT OF RACIAL DIVERSITY
IN THREE HISTORICALLY WHITE UNIVERSITIES IN KENTUCKY, MICHIGAN,
AND ONTARIO FROM 2000 TO 2012

DISSERTATION

A dissertation submitted in partial fulfillment of the
requirements for the degree of Doctor of Philosophy
in the College of Arts and Sciences
at the University of Kentucky

By

David John Luke

Lexington, Kentucky

Director: Dr. Thomas E. Janoski, Professor of Sociology

Lexington, Kentucky

2018

Copyright © David John Luke 2018

ABSTRACT OF DISSERTATION

INCREASING INCLUSION: THE PURSUIT OF RACIAL DIVERSITY IN THREE HISTORICALLY WHITE UNIVERSITIES IN KENTUCKY, MICHIGAN, AND ONTARIO FROM 2000 TO 2012

The University of Kentucky (UK) and University of Michigan (UM) present very different patterns in terms of black student enrollments and completions from 2000 to 2012 because of a structural explanation, a qualitative explanation, and a statistical explanation. Unfortunately, the patterns at the University of Western Ontario (UWO) are partial due to a lack of data.

First, the structural explanation is that UK, as a university in the state of Kentucky, was under a mandate from the U.S. Department of Education to desegregate because they were in violation of Title VI of the Civil Rights Act. The Kentucky Council on Postsecondary Education (KCPE) gave specific goals related to black student enrollment and completions. Substantial progress was made from 2000-2012, primarily during the time when Lee Todd Jr. created the President's Commission on Diversity (PCD) which implemented strategies to achieve the goals. While the same federal laws applied to UM, as a northern state they were not under the same federal scrutiny regarding desegregation. UM was taking an aggressive approach with regards to increasing black student enrollments and completions under president Lee Bollinger, and he passed the process along to Mary Sue Coleman, but UM was faced with a negative response and resistance in terms of lawsuits in 2003 and legislation in 2006 (the Michigan Civil Rights Initiative or MCRI) which banned the consideration of race for all public colleges and universities in admissions. UM is highly selective, and a legacy of social movements by black students was stronger at UM than at UK, which may have increased media scrutiny and negative reactions. Essentially, UK's success was based on an externally monitored top-down approach with little media scrutiny.

Second, archived university websites from 2000-2012 and interviews with 21 key informants at the three universities showed a difference in the way diversity initiatives were framed. The Kentucky Plan, the desegregation mandate, had concrete and explicit language in terms of requirements related to black student enrollment at UK. The

implementation at UK, although sometimes using broad and general language, was accountable to the explicit requirements of the mandate and black student enrollments and completions increased during that timeframe. At UM, during the Mary Sue Coleman administration, what began as explicit policy under Lee Bollinger became more general and vague policy after the 2003 lawsuits and 2006 legislation banning affirmative action, corresponding with a decline in black student enrollments and completions. Under Coleman, some have questioned whether the legislation was truly an obstacle, or an excuse to rationalize inaction with regards to black student enrollments and completions as they declined. In Ontario the language was typically general, and race tended to be absent, with diversity often conceptualized in terms of internationalizing the student body.

Third, the statistical explanation is based on the cross-sectional examination of available National Center for Education Statistics' Integrated Postsecondary Education Data System (IPEDS) data available for the universities in both states in the U.S.A. in 2000, 2003, 2006, 2009, and 2012. Before 2006, state-level politics do not explain enrollments or completions. In 2009 and 2012, a variable representing the MCRI for four-year public universities in Michigan is significant in explaining decreased black student completions, however it was not significant for enrollments. This applies not only to two universities, it applies to the four-year public institutions in both states, but it does not apply to community colleges since they are primarily open enrollment.

Finally, the cross-national comparison between the U.S. and Canada does not have concrete data because UWO, like all Canadian universities from 2000-2012, did not collect student data based on race. However, interview data and the framing of policies in this study shows significant problems with racial incidents and low black student enrollments. So under the Canadian multiculturalist regime, the common neglect of collecting racial statistics suggest the possibility of a multiculturalist parallel to colorblind racism that I call racism-blind multiculturalism.

Keywords: Diversity, Race, Higher Education, Multiculturalism, African American / Black Students

David John Luke

April 16, 2018

Date

INCREASING INCLUSION: THE PURSUIT OF RACIAL DIVERSITY
IN THREE HISTORICALLY WHITE UNIVERSITIES IN KENTUCKY, MICHIGAN,
AND ONTARIO FROM 2000 TO 2012

By

David John Luke

Thomas Janoski
Director of Dissertation

Ana Liberato
Director of Graduate Studies

16 April 2018
Date

Dedicated to Tomeia, Maya, and Thaddeus

ACKNOWLEDGMENTS

First and foremost, I acknowledge that every opportunity that I have had and everything that I have accomplished is by the grace of God. I am eternally grateful. Next, I admit that one of God's greatest blessings to me has been the people he's placed in my life, so this acknowledgments section may be a bit lengthy, but it is very important to me.

To that end, I have been supported by my spiritual family, Brown-Hutcherson Ministries (BHM) in Grand Rapids, Michigan, and the support of people like Pastor Nathaniel Moody and Rev. Walter Brame, who have been models of love and support for me and my entire family, and who have inspired me to strive to make an impact and do meaningful work. I cannot say enough about the way BHM has helped shape me, and how important it has been in my life. In Lexington, Total Grace Church provided a home for my family and I am grateful for time there as well as the opportunity to play the keyboard.

My academic journey has been long, and from elementary teachers like Doris Kooyer, to middle school teachers like Jim Vos, and high school teachers like Brad Mockabee and Mark Warners, to name a few, I have been challenged and supported in unique ways as a scholar and a human being, and I recognize that they played an important role in my growth and development.

The sociology department at Grand Valley State University introduced me to this discipline, and taking classes with Bill Whit, Brian Phillips, George Lundskow, Jennifer Stewart, Marshall Battani, and Joe Verschaeve ignited a love for this discipline that I knew nothing about prior to college. I am particularly grateful to the last three

individuals for serving as my supportive recommenders, and especially to Joe Verschaeve for his remarkably thoughtful, unwavering support, and encouraging advice.

Also at Grand Valley State University, I was impacted by a number of other key individuals. From the Office of Multicultural Affairs, the late Oliver Wilson was a supportive mentor, as was Bobby Springer. The great work they did through that office inspired me to seek work in similar roles. Additionally, after my brief affair with the accounting profession, David Cannon remained a supportive force, reviewing my co-authored 2014 book in the journal for which he is the book review editor, and showing up periodically and unexpectedly when I was in West Michigan to express his support for all my endeavors.

My professional experience in accounting taught me a great deal as well, so I must express my gratitude to all the staff of the Yeo & Yeo Lansing Office from 2008-2010.

At the University of Kentucky, I am grateful that the Director of Graduate Studies (DGS) when I applied, Keiko Tanaka, and the graduate committee at that time, took a chance on me. I am thankful to Rosalind Harris for serving as my initial advisor, to my M.A. Committee members Brea Perry, Ed Morris, Jim Hougland, and Shaunna Scott who served as chair. I am also thankful to Shaunna Scott for her role in my admission to the Ph.D. program when she was DGS and the program was less fluid than it is today. I owe a debt to all the professors who taught me at UK, including those who were not on my committee like Dwight Billings, Pat Mooney, and those I who I learned from outside of the classroom like Carrie Oser, Ana Liberato, Tony Love and Claire Renzetti.

A number of students were warriors in this struggle with me, and as graduate students we share a unique bond. Some of them include Brett Wolff & Salvador Rangel (long live the “chuckle hut”), Zirui Wang, Eric Stiff, Marcus Bernard, Alicia Hullinger, Erin Pullen, Kaitlyne Motl, Feng Hao, Allison Adair, Kathryn Engle, Jared Friesen, Jeremy Hickman, Trent Thomas, John Johnson, and Alicia Walker. I could really list all the graduate students that I overlapped with at UK, but for the sake of brevity I will end my list there.

As I transitioned into my Ph.D. program, I benefited from the advice of a diverse committee of expertise – a committee that a number of other unnamed faculty members told me was “difficult”, “challenging”, and numerous other synonyms. My outside committee member, Mark Peffley, brought his meticulous methodological expertise and passion for doing relevant political science research to the fore; Carlos de la Torre brought a remarkable theoretical knowledge and helped to diversify my reading list and challenge me to think more critically, and Ed Morris’ understanding of educational inequality and race fit perfectly, as did his qualitative expertise, in ensuring that my dissertation was of the highest quality. None of my committee members are one-dimensional people, however their unique and complementary expertise strengthened my scholarship in substantive ways, and I recognize that their brutal honesty and at times harsh criticism was ultimately for my benefit.

Of course, I cannot forget the chair of my committee. Were it not for Tom Janoski, there is no way I would have a completed dissertation, and it is unlikely I would have attended UK for graduate school in the first place. From our initial email exchange to our hour-long initial meeting in his office on a hot summer day in June 2010, where I

was overwhelmed with his intense intellectual curiosity and broad-ranging knowledge, the research assistantship that funded my M.A. and led to our book, *The Causes of Structural Unemployment*, with Chris Oliver, the independent studies that helped me get through my qualifying exams readings, and the dinners at conferences at UK and nationally where we connected with other scholars, I owe Tom an insurmountable debt of gratitude. During our time working together, in addition to our academic lives, we dealt numerous major personal life changes, but I never questioned his support of my academic journey and ultimately of my future success. When he gave me challenging feedback, even when he did not make the intention clear, I understood he was looking out for my best interests. This made the feedback slightly more bearable, fortunately. If an advisor is an academic parent, then I am proud that Tom Janoski is my academic father.

Other individuals at UK who played a key role in my success include supervisors from other jobs at UK, like Jeff Mossey, whose confidence in me sometimes seemed to exceed my own, and Kahlil Baker. Kahlil's brilliance is only outdone by his humility. He taught me a great deal about the politics of work at the university, and with him we accomplished some great things with the King Center team. We truly formed strong bonds at the King Center in my time there, and I look at Kahlil as someone like a brother to me. Further, my extended family in the Office for Institutional Diversity is a group I deeply respect, and in particular, the staff of the Center for Graduate and Professional Diversity Initiatives who I have labored with these past few months.

To the King Center interns, graduate assistants, and the undergraduate students I taught (especially in my Race and Ethnic Relations courses), thank you. I made many

strong connections to undergraduate students through my teaching in Sociology and work with the King Center and I am excited to watch what you all will accomplish.

I was also helped by a number of individuals outside UK who I either connected with through UK or through professional affiliations elsewhere. Among those who have been supportive are Carson Byrd, Joyce Bell, Wendy Leo Moore, and Jenni Mueller, to name a few. A special thanks goes to Joe R. Feagin and Eduardo Bonilla-Silva, who tolerated my incessant questioning at the Southern Sociological Society Annual Meeting in Charlotte in 2014, and in particular to Eduardo who continued to give me advice during his visit to UK later that year and whenever I approached him afterwards. Additionally, David Embrick and David Brunsma have provided me with advice over the phone, via email, and helped connect me with several opportunities for which they thought I would be a good fit. That they thought of me at all is an honor. I am fortunate that many people whose scholarly work has influenced me are such good people, too, and I found the American Sociological Association's Section on Race and Ethnic Minorities to be an especially familial and supportive group of sociologists.

To my co-authors, Tom Janoski, Chris Oliver, Carrie Oser, Victor Ray, Antonia Randolph, and Megan Underhill, thank you for all that you taught me about publishing and generating important, impactful, and relevant scholarly work.

To all the participants in this study who gave of their time, shared personal stories and insights, and were willing to be open and honest with me as I learned about their experiences at their respective universities, none of this would have been possible without their participation, and I am truly grateful that they made this possible.

In addition to the technical and instrumental assistance above, I received equally important assistance from family and friends. My parents, Rev. Al and Judy Luke, instilled in me, from an early age, the desire and skills to obtain the Ph.D. Their often obnoxious and usually unrealistic levels of support and confidence in me helped cultivate the tenacity for me to finish this marathon project. This topic, really, became an interest to me as a result of my dad. In light of health scares and uncertainty, I thank God that he is able to see the completed project (but he does not *have* to read it). My siblings also provided support, but often in different ways. Each of my siblings is brilliant, and any of them could complete a Ph.D. if they wanted; this is, in part, why their words of encouragement and support were meaningful. My brother, in particular, has always been a voracious reader and thinker. His intellectual appetite is large, and his work ethic matches it. His brilliance and aptitude inspire me, like that of my sisters, and I realize that my family, while quirky and at times irritating, has made me who I am.

Finally, there are really no words to express my gratitude for my wife, Tomeia Luke. In late 2009, she decided I was good enough to be her boyfriend, and in late 2010, she decided I could be her husband. A week before the wedding, we moved all our belongings to a new state, hundreds of miles from any family, and she uprooted her entire life with me, and for me. I spent late nights completing homework assignments, transcribing interviews, working in STATA, coordinating events for the Martin Luther King Center, and writing, and she did whatever she could to support my academic journey. Meanwhile, she worked fulltime, earned a Masters degree, and had two children. She is selfless, caring, intelligent, perceptive, clever, introspective, and way out of my league. She made this possible, and I will always be grateful.

TABLE OF CONTENTS

Acknowledgments.....	iii
List of Tables.....	xi
List of Figures.....	xii
Chapter One: Introduction.....	1
Background of the Problem.....	2
Statement of the Problem.....	3
Purpose of the Study.....	5
Significance of the Study.....	6
Theoretical Framework.....	7
Primary Research Questions and Hypotheses.....	19
Research Design Overview.....	22
Assumptions, Limitations, and Scope (Delimitations).....	29
Conclusion.....	30
Chapter Two: The History and Logic of Affirmative Action and Alternatives.....	39
History of Affirmative Action.....	39
The Legal and Practical Logics of Affirmative Action.....	47
The Academic and Intellectual Logics of Affirmative Action.....	53
Benefits of Integration.....	58
The Social Psychology of Being a Token.....	61
Public Opinion and Policy Positions.....	65
Affirmative Action and Social Mobility.....	66
Affirmative Action Alternatives.....	70
Conclusion.....	77
Chapter Three: A Comparative Historical Overview of Government Context and Affirmative Action.....	79
Race and Race Politics in the U.S.A. and Canada.....	79
Lexington, Kentucky, U.S.A.....	84
Ann Arbor, Michigan, U.S.A.....	87
London, Ontario, Canada.....	90
Conclusion.....	92
Chapter Four: The Language of Diversity in Articulating Specific / Workable Strategies.....	96
Methodological Note.....	96
Archived Websites – University of Kentucky.....	98
Compliance.....	112
Archived Websites – University of Michigan.....	118
Compliance.....	138
Archived Websites – University of Western Ontario.....	138
Compliance.....	140
Conclusion.....	146
Chapter Five: The Origins of Implemented Diversity Programs.....	156
Research Design.....	156
Positionality.....	157
Participants.....	158

Information Collection.....	159
Procedures and Information Analysis.....	160
Interviews – University of Kentucky.....	162
Definitions of Diversity.....	162
Diversity Initiatives.....	166
Interviews – University of Michigan.....	171
Colorblind Racism.....	171
Definitions of Diversity.....	172
Diversity as Nonracial.....	177
Diversity Initiatives.....	178
Interviews – University of Western Ontario.....	187
Definitions of Diversity.....	187
Diversity Initiatives.....	189
Campus Climate.....	195
Construction of Race.....	198
Conclusion.....	200
Chapter Six: The Effectiveness of Implemented Diversity Programs.....	203
Research Design.....	203
Population and Sample.....	205
Measures.....	206
Procedures and Results – Year 2000.....	208
Procedures and Results – Year 2003.....	209
Procedures and Results – Year 2006.....	211
Procedures and Results – Year 2009.....	212
Procedures and Results – Year 2012.....	214
Discussion.....	216
What About Canada?.....	227
Conclusion.....	229
Chapter Seven: Conclusion: What Caused Different Patterns of Black Student Enrollments and Completions at UM and UK, and What About UWO?.....	255
Hypotheses Revisited.....	259
Canada and Racism-Blind Multiculturalism.....	263
Practical Applications.....	264
Appendix – Semi-Structured Interview Guide.....	270
References.....	272
Vita.....	292

LIST OF TABLES

Table 1, Diversity Strategies.....	33
Table 2, Overview of Three Universities.....	34
Table 3, Summary of Theory, Hypotheses, and Methods.....	35-36
Table 4, Comparison of Communities from 2010 U.S. Census Data and 2011 Statistics Canada Data.....	93
Table 5, Summary of Impact of Contextual Factors on Black Enrollments and Completions.....	94
Table 6, The Kentucky Plan, 1997 – 2002 Summary Table.....	150-151
Table 7, UWO Employment Equity Myths and Realities.....	152-153
Table 8, Summary of Impact of Contextual and University Factors on Black Enrollments and Completions.....	154
Table 9, Summary of Impact of Contextual and University Factors (Including the Source of an Initiative) on Black Enrollments and Completions.....	202
Table 10, Descriptive Sample Characteristics for Kentucky (2000).....	232
Table 11, Descriptive Sample Characteristics for Michigan (2000).....	232
Table 12, Descriptive Sample Characteristics for the Full Sample (2000).....	233
Table 13, Regression of Black Student Enrollments (2000).....	233
Table 14, Regression of Black Student Completions (2000).....	234
Table 15, Descriptive Sample Characteristics for the Full Sample (2003).....	234
Table 16, Regression of Black Student Enrollments (2003).....	235
Table 17, Regression of Black Student Completions (2003).....	235
Table 18, Descriptive Sample Characteristics for the Full Sample (2006).....	236
Table 19, Regression of Black Student Enrollments (2006).....	236
Table 20, Regression of Black Student Completions (2006).....	237
Table 21, Descriptive Sample Characteristics for Kentucky (2009).....	237
Table 22, Descriptive Sample Characteristics for Michigan (2009).....	238
Table 23, Descriptive Sample Characteristics for the Full Sample (2009).....	238
Table 24, Regression of Black Student Enrollments (2009).....	239
Table 25, Regression of Black Student Completions (2009).....	239
Table 26, Descriptive Sample Characteristics for Kentucky (2012).....	240
Table 27, Descriptive Sample Characteristics for Michigan (2012).....	240
Table 28, Descriptive Sample Characteristics for the Full Sample (2012).....	241
Table 29, Regression of Black Student Enrollments (2012).....	241
Table 30, Regression of Black Student Completions (2012).....	242
Table 31, Summary of Impact of Contextual and University Factors (Including the Source of an Initiative) on Black Enrollments and Completions from Quantitative Analysis.....	243
Table 32. Summary of Impact of Contextual and University Factors (Including the Source of an Initiative) on Black Enrollments and Completions and Results.....	269

LIST OF FIGURES

Figure 1, Factors and Consequences of Positive Discrimination Policies.....	37
Figure 2, African American Enrollments.....	38,
	244
Figure 3, African American Completions.....	38,
	244
Figure 4, Map of Lexington, KY Concentrations of Black Residents.....	95
Figure 5, UWO Equity Services 2004 Logo.....	155
Figure 6, Residual vs. fitted plot for Model 2000b.....	245
Figure 7, Residual vs. fitted plot for Model 2006c.....	245
Figure 8, Residual vs. fitted plot for Model 2009c.....	246
Figure 9, Twoway linear prediction plot with 95% confidence interval for the dummy variable for being a public four-year institution and Michigan (impacted by the MCRI) on percentage of black completions in Model 2009d...	247
Figure 10, Residual vs. fitted plot for Model 2012a.....	248
Figure 11, Residual vs. fitted plot for Model 2012c.....	248
Figure 12, Twoway linear prediction plot with 95% confidence interval for the dummy variable for being a public four-year institution and Michigan (impacted by the MCRI) on percentage of black completions in Model 2012c...	249
Figure 13, Twoway linear prediction plot with 95% confidence interval for the dummy variable for being a public four-year institution and Michigan (impacted by the MCRI) on percentage of black completions in Model 2012d...	250
Figure 14, African American Enrollments for Public Flagships with Affirmative Action Bans.....	251
Figure 15, African American Completions for Public Flagships with Affirmative Action Bans.....	252
Figure 16, National Public Flagship Fall African American Enrollment.....	253
Figure 17, National Public Flagship African American Completions.....	254

CHAPTER ONE: INTRODUCTION

Diversity is a popular buzzword in universities and corporations, but what does it mean? With recent court cases since the year 2000 challenging affirmative action and the consideration of race, and with public opinion historically and consistently against race-based policy, a number of diversity strategies are being employed throughout the U.S (Dobbin & Kalev 2007; Dobbin, Kalev & Kelly 2007; Skrentny 1996). While some scholars have looked at the evolution of diversity management and how different strategies have come to be (e.g. much of Frank Dobbin's work), and others have documented how workplaces have desegregated since the 1960s (e.g. Stainback & Tomaskovic-Devey 2012), but this research seeks to combine these lines of inquiry and asks which diversity strategies have the greatest desired effects on a specific university student body composition. This type of research goes beyond quantitative studies alone, but looks at specific entities and their policies; a mixed-method approach best facilitates this type of inquiry.

The purpose of this study is to connect diversity strategies to outcomes for three universities from 2000 to 2012. By comparing one Kentucky university, one Michigan university, and a university in Ontario Canada, this study explores how diversity strategies come about, and the effectiveness of those strategies in terms of black or African American representation in a university, with a focus on student enrollment and completions. Using a mixed-methods approach, this study looks qualitatively at diversity policies and their origins, and quantitatively at their outcomes, to the extent possible. Beyond that, investigating the political, social, and historical contexts of Kentucky, Michigan, and Ontario Canada provides a foundation for understanding differences in

these comparative cases. This study has potential to advance understandings of intergroup relations, organizations and social movements, and the blossoming field of “diversity management.” Additionally, by comparing the U.S. and Canada, this study allows for a comparison of the U.S. to a country that prides itself on multiculturalism as a counterpoint in terms of racial diversity in college admissions. Beyond academia, this study is useful to diversity professionals and antiracist advocates and could help inform public policy discussions regarding affirmative action and race-based policy by further clarifying effectiveness of diversity programs prohibited from explicitly using race as a criterion as compared to programs that are not colorblind.

This chapter outlines the background of the problem, provides the theoretical framing and the hypotheses that are investigated, and gives the general overview of what this project entails.

BACKGROUND OF THE PROBLEM

Affirmative action is a unique policy in that it has never been supported by the majority of the American public (Skrentny 1996). It is these shaky beginnings that, over time, have led to affirmative action’s post-1987 “uncertain future” (Kelly & Dobbin 1998). Affirmative action seems perpetually debated, but one critique of the affirmative action debate itself is that it is merely a “shell” of the “core” or “embedded” debate over the meaning of the principles of liberty, justice, and equality and who has a right to them in the U.S. (Khalfani 2005). While this deeper debate seems unlikely to occur in mainstream political discourse, affirmative action has been debated regularly since its inception. Kelly and Dobbin characterize four stages of affirmative action, beginning with the 1960s stage involving (1) changes in employment practice due to weak

enforcement of affirmative action, (2) from 1972-1980, personnel experts hiring equal opportunity and affirmative action specialists to develop strategies ensuring compliance with ambiguous regulation, (3) emphasis on the business case for diversity in the context of the deregulation of the 1980s and the reduced enforcement of affirmative action regulations, and (4) the post-1987 *uncertain future* of affirmative action (Kelly & Dobbin 1998). In light of this uncertainty, deeper investigations into affirmative action, diversity programs, and workplace and educational integration since 2000 are warranted (Dobbin 2009; Katznelson 1996; Kelly & Dobbin 1998; Stainback & Tomaskovic-Devey 2012).

STATEMENT OF THE PROBLEM

Some of the more recent research has indicated that affirmative action has shifted to diversity management and a “managerialization” of law (Edelman, Fuller & Mara-Drita 2001). In this new conceptualization diversity is viewed as a resource and profit is often cited as an economically rational reason for pursuing diversity (Edelman et al. 2001). Diversity rhetoric also actively avoids mention of civil rights or differentiates and distances itself from civil rights, which can lead to a “happy talk” surrounding diversity, hindering conversations about justice and inequality and, some have argued, forestalling deeper investigations into persistent workplace gender and racial inequality (Bell & Hartmann 2007; Edelman et al. 2001; Embrick 2006). Diversity management may not be simply a shift to an economic rationalization, but could also constitute a cover-up for deeper issues, and appears to be less effective than previous and better-funded affirmative action policies as measured by stalled gains in workplace diversity (Stainback & Tomaskovic-Devey 2012).

Other recent research covering this time period has revealed a number of strategies used to promote diversity within organizations and within management of organizations. Table 1 provides a list of many popular diversity programs in the U.S. When measuring diversity in a corporation based on racial diversity in management positions, the most effective techniques involved assigning diversity responsibility. Responsibility can be assigned either to a specific person, for example, a diversity manager, or to a task force on diversity composed of people from various parts of the organization; prior research indicates the task force to be the most effective (Dobbin & Kalev 2007; Dobbin, Kalev & Kelly 2007). Overall, when looking at racial and gender diversity in management of an organization, the most effective types of diversity programs include diversity councils or diversity managers and mentoring programs; on the other hand, diversity performance evaluations, diversity training sessions, and affinity groups for minorities or women are less effective by the metric of management diversity (Dobbin, Kalev & Kelly 2007; see Table 1). Diversity training actually can generate resentment, particularly for employees who expect that they are being sent to diversity training because of another employee's complaint (Sanchez & Medkik 2004). This problem is avoided if all employees are required to go through the training. Overall, unfortunately, it seems corporate America in general is operating inefficiently by excessively implementing diversity programs that are the least effective (Dobbin, Kalev & Kelly 2007). This data, however, looks at macro-level trends and generalized types of diversity programs as opposed to critically interrogating specific diversity programs at a firm.

This study, thus, helps to connect understandings of diversity policies and diversity outcomes. While some studies utilizing EEO-1 data have primarily looked at changes in workplace composition (Stainback & Tomaskovic-Devey 2012), and others have explored the general trends in diversity programs (Dobbin, Kalev & Kelly 2007), this study connects more specific diversity programs and initiatives with outcomes at three institutions, considering historical, political, and social context as well as organizational culture and other variables more suitably studied through qualitative inquiry.

PURPOSE OF THE STUDY

As previously mentioned, the purpose of this study is largely to connect understandings of diversity programs to their outcomes at the institutional level. Further, this study promises to explore the impact of the broader legal environment, which serves as a constraint to the possible diversity programs that can be implemented.

This study utilizes a mixed-method approach with regards to studying diversity; quantitative methods facilitate exploration of the extent of diversity within organization, while qualitative methods look at the language and nuances of how diversity programs are selected and the underlying logic behind those programs. Hypothesis 1, dealing with the context and its impact on the range of options for diversity programs, utilizes qualitative methods exclusively, while Hypotheses 2-4 involve qualitative aspects addressing the diversity plans themselves and their origin and quantitatively evaluate diversity outcomes. This mixed-method, comparative approach, outlined in greater detail below, represents the most effective means of testing the hypotheses for this study.

SIGNIFICANCE OF THE STUDY

This research is significant for a number of reasons outlined above. Specifically, under the current climate where affirmative action appears to be in a state of flux, understanding how organizations can continue to pursue diversity will be useful for practical and policy purposes. Sociologists are uniquely positioned to study diversity programs from a critical perspective, and understanding the racial dynamics involved in these policies specifically.

While scholars like Dobbin have looked at specific human resource practices and have explored different diversity paradigms and their impacts on organizations, others like Stainback and Tomaskovic-Devey have explored how levels of segregation have changed over time. The missing link is the connection between specific institutional policies and levels of segregation at an organization (Dobbin 2009; Ely & Thomas 2001; Stainback & Tomaskovic-Devey 2012). Enforcement of legal regulations is important, and while some diversity programs may be criticized as “symbolic” efforts to curb segregation, research has shown that personnel policies with no corresponding legal accountability are completely ineffective (Dobbin, Schrage & Kalev 2010).

This study builds off the work of Dobbin in terms of investigating the effectiveness of diversity programs, but will do so on the level of three universities (for admissions and completions) (Dobbin 2009). I also supplement this data with analysis of diversity plans and other corporate and university documents (Stainback & Tomaskovic-Devey 2012). In fact, in *Documenting Desegregation*, the authors clearly state the need for this research, saying,

“It remains an empirically open issue as to whether these policies actually promoted equal opportunity or served as symbolic shields to merely prevent

lawsuits or to legitimate current practices when lawsuits occurred . . . The EEOC data are not ideal for investigating managerial practices, because we do not have any information on workplace human resource practices (Stainback & Tomaskovic-Devey 2012: 148-150).”

Exploring the impact of policies on university admissions takes this process one step further, as discrepancies in educational qualifications sometimes result in racially segregated workplaces or positions. This study, which expands the exploration of equal opportunity strategies and their effectiveness in higher education, takes this line of research further and has the potential for a much broader impact which could influence policy at the institutional and governmental levels.

Further, as a cross-national study that looks at both the U.S. and Canada, this study explores the contrasting impacts of assimilationism and multiculturalism that are sometimes discussed in immigration conversations, but rarely so in discussions of higher education diversity policy. Indeed, this exploration speaks to racial climate issues within a multiculturalist society as well, where recognition of cultural differences does not necessarily produce a discussion of structural and systemic racism and inequality. Though multiculturalism seems in many ways to be in contrast to the paradigm of colorblind racism (Bonilla-Silva 2018), its utility in preventing discussions of inequality could produce similar results and be considered “racism-blind”.

THEORETICAL FRAMEWORK

Before diving deeply into the theoretical framework, a point should be made regarding the language used in this study. In higher education literature, commonly used terminology to indicate the primary racial constituency of a college or university includes historically black colleges and universities (HBCUs), predominantly white institutions (PWIs), and Hispanic Serving Institutions (HSIs). Rather than use the term PWIs, the

term historically white colleges and universities (HWCUs) is a better fit and represents a more parallel and comparative term. As Bonilla-Silva notes, regarding HWCUs:

“We never ponder about the whiteness of these places; we rarely question the history and practices that create and maintain these institutions as white. Instead, we conceive of them in universalistic terms as just colleges and universities. These colleges, however, have a history, demography, curriculum, climate, and symbols and traditions that embody, signify, and reproduce whiteness. For example, most traditions in HWCUs pre-date their so-called integration, and thus, are exclusionary (Bonilla-Silva 2012:183-184).”

While denoting a college or university as a PWI is a step-up from simply referring to it as a college or university, that phrase leaves open the possibility that these institutions may at one point have been predominantly a different race. It also does not point to the parallel history with HBCUs, which were designed with black students in mind, whereas HWCUs were, for the most part (and depending on when they started), designed with white male students in mind. Using HWCUs instead of PWI is a steady reminder of that history and legacy.

Thinking about this study specifically, one helpful framework for organizing this study is the neo-institutional framework, which focuses on the impact of external forces on organizations (DiMaggio and Powell 1983; Jain, Horwitz & Wilkin 2012). This framework identifies regulative forces in the form of laws and governance, normative forces arising from professional standards, and mimetic forces of imitating other organizations (often their “best practices”) (Jain, Horwitz & Wilkin 2012). While this framework is helpful to guide some of the analysis, one must understand that there are forces within organizations that also impact organizational actions.

McAdam and Scott developed a useful theoretical framework for understanding and analyzing internal social movements by synthesizing aspects of both organization theory

and social movement literature, in an effort to generate a framework for guiding comparative and longitudinal studies of change in institutions (McAdam & Scott 2005). In their framework, they identify seven analytic conventions, briefly summarized as follows:

1. Organizational field as the fundamental unit of analysis;
2. Three classes of actors (dominants, challengers, and governance units);
3. The wider social environment containing external actors and external governance units;
4. Diverse institutional logics guiding behavior of social actors;
5. Destabilizing events or processes which instigate field contention and/or change;
6. Reactive mobilization in response to destabilizing events;
7. A resulting shift in the strategic alignment which leads to a new institutional settlement (McAdam & Scott 2005).

McAdam and Scott show the value of this approach by analyzing the “Institutionalization of Rights Revolution”, defining some of the key analytic conventions. For them, the organizational fields for affirmative action are the employment opportunity field (EMOF) and educational opportunity field (EDOF). This study investigates the EDOF, by analyzing three universities (EDOFs), and utilizes their framework to guide the observations and empirical analysis.

McAdam and Scott trace the history of the “rights revolutions” and identify a fundamental shift in the institutional logic of EMOFs, from colorblind approaches which put the onus on the employee or applicant to evaluate and challenge possibly

discriminatory practices, to shifting responsibility to the employers to target certain percentages of minority hiring. They argue that this change “granted *institutional legitimacy* to the *social logic* of affirmative action (37),” which resulted in a destabilizing effect on other established fields (EDOFs, for example). Their brief example speaks to the value of their approach in examining affirmative action and diversity programs, yet it stops short of analyzing the “uncertain future” of affirmative action, and specifically does not address changes that we have witnessed from 2000-2012 (Kelly & Dobbin 1998). This is not a criticism of McAdam and Scott’s work, however; they chose to use the rights revolution and affirmative action as one of two examples to simply elucidate the utility of their theoretical approach. From the foundation they have built, this research uses their theory to inform and study the selected organizations.

McAdam and Scott note the importance of social environment, consisting of external actors (who influence the course of action but are not recognized as participants in the field) and external governance units. This social context and social environment is crucial in understanding affirmative action’s trajectory, and empirical reality confirms this. Affirmative action came about as a form of crisis management in light of racial unrest and rioting in the 1960s (Skrentny 1996). Thus in the context of a national environment of blatant racism and dissatisfaction with racial inequality, a policy was birthed. The new racism, characterized by an overt and subtle nature, modified this context substantially (Bonilla-Silva 2018). After its creation in the 1960s, the effectiveness of affirmative action decreased (as measured by increases in minority representation in management within organizations) when EEOC enforcement was weakened during the Reagan administration (Stainback & Tomaskovic-Devey 2012).

President Reagan appointed Clarence Thomas to head the EEOC and decreased funding for enforcement of affirmative action regulation, the effect was progress in diversifying employment flattened (Stainback & Tomaskovic-Devey 2012). In fact, since that time, there have not been any substantial gains in workforce diversity (Stainback & Tomaskovic-Devey 2012). Enforcement of legal regulations is important, and while some diversity programs may be criticized as symbolic efforts to curb segregation, research has shown that personnel policies with no corresponding legal accountability are completely ineffective (Dobbin, Schrage & Kalev 2010).

Diversity programs and the implementation of affirmative action policies have also historically been guided and pressured through external and interest group organizations like the National Association for the Advancement of Colored People (NAACP), Urban League, and even professional associations like the Society for Human Resource Management (SHRM). SHRM has been effective in claiming “professional turf” regarding affirmative action and diversity programs, thus growing the field of human resources; personnel experts have been at the forefront of the changing rationalizations of affirmative action and its shift to economically rationalized diversity management (Dobbin 2009; Edelman et al. 2001). Meanwhile, some external groups have acted against affirmative action in recent history and with some measure of success. Ward Connerly and his group the American Civil Rights Institute are credited with leading and organizing groups in California to help pass Proposition 209 (the “California Civil Rights Initiative”) and later taking the fight to Michigan to help pass Proposal 2 in 2006 (the “Michigan Civil Rights Initiative [MCRI]”). Amidst allegations of deception (some have argued that even the MCRI’s name is deceptive to affirmative action supporters),

Connerly's charge, with the backing of people like Jennifer Gratz (the plaintiff in the important case of *Gratz v. Bollinger*, and executive director of the MCRI), led to the MCRI making the ballot and ultimately passing. The result was a scramble at universities to find ways to continue to pursue racial diversity among their student bodies while not explicitly using race as a criterion.

Clearly, state context is important. Other states have, like Michigan, passed laws restricting the use of race in college admissions or employment. In efforts to maintain or further cultivate racially diverse environments, employers and universities have resorted to creative, often class-based, means of avoiding explicitly racial policies, like percentage plans (e.g. Texas Top 10, discussed further in Chapter Two).

Importantly, racism has shape-shifted since the inception of affirmative action, and the new racism is characterized less by an overt, in-your-face nature, and more by its subtleties (Bonilla-Silva 2018). Racism is more covert now; it is no longer fashionable to express blatantly racist views (Bonilla-Silva 2018). Instead, a new discourse has emerged, colorblind racism, which shields those (typically white) individuals who use it from accusations of being racist (Bonilla-Silva 2018). Diversity management in many ways represents the institutionalization of colorblind discourse by being less explicitly racial. Some have noted that diversity often is framed in terms of culture, religion, experience, or other non-racial factors (going so far as to consider pet ownership a form of diversity), making conversations about racial inequality and civil rights difficult (Bell & Hartmann 2007; Embrick 2011). Others have observed that "diversity" hinders investigations into deeper structural inequalities in organizations, and that it is

increasingly rationalized by economic means exclusively (Edelman et al. 2001; Embrick 2011).

Ellen Berrey's book, *The Enigma of Diversity*, documents how this process works. Initiatives often begin as race-conscious and rooted in redistributive justice, but over time have shifted to softer programs oriented around diversity (Berrey 2015). Berrey notes how diversity discourse can be used to silence real questions about social justice, giving one memorable example where at a public forum a University of Michigan student questioned the usefulness of the word (and concept) of diversity to describe the negative experiences she had faced as a person of color on that campus; the response from administrators at the time was to explain that this student's freedom and ability to make this complaint is evidence of the university's support for diversity (Berrey 2015). This was just one example of how the language of diversity stifles social justice. Diversity language is problematic, and Berrey's book begs the question: are diversity programs useful, and is diversity a positive?

When looking at which diversity programs are selected, in addition to external legal and contextual considerations, factors internal to an organization are important. Internal social movements can solidify advocacy from diverse groups within an organization. A number of factors play into the success or failure of these types of social movements, including collective sentiments (which operate via the extent to which people feel the movement's goals are in harmony with their own, and outside of the organization the degree to which society accepts the legitimacy and value of the movement) (Zald & Ash 1966). In the case of affirmative action and diversity management, the goal is to "introduce new techniques for accomplishing goals or

refinements of organizational programs,” making it a clear example of bureaucratic insurgency, or more specifically, program-development insurgency (Zald & Berger 1978:839).

In their study of diversity programs, Ely and Thomas’ approach was based on the popularity of advice to managers to increase workforce diversity and see a corresponding increase in the effectiveness of their work groups (Ely & Thomas 2001). They note that the benefit of racial and/or gender diversity, according to differing studies, is varied (Ely & Thomas 2001). As a result, they note:

We set out to develop theory, grounded in people’s experiences in culturally diverse work groups, about the conditions under which diversity enhances or detracts from work group functioning. (Ely & Thomas 2001:229)

While this is an important goal, it differs substantially from this study in that it explores how diversity impacts the functionality of work groups in a very managerial (cost-benefit) capitalistic way. This study, on the other hand, measures effectiveness of a diversity program in terms of how well it increases recruitment and retention of underrepresented college student populations, particularly African Americans.

Ely and Thomas identify three paradigms of diversity. First, the *discrimination-fairness* paradigm prioritizes diversity because the alternative, discrimination, is unfair. This social-justice orientated paradigm focuses on how effective efforts at recruitment and retention of target populations is. Ely & Thomas criticize this approach somewhat because, while it may increase numbers, their orientation toward workgroup functioning shows that it is still problematic. The colorblind or genderblind ideal in this perspective is problematic, and it ignores mainstream organizational structural impediments that reproduce the hegemonic order within the organization and the status quo composition of

its employees. Second, the *access-legitimacy* paradigm looks at the financial and economic benefit of diversity in terms of reaching different potential clients and better serving a diverse customer base. While this paradigm can be seen as effective in terms of work functioning, it can also lead employees who contribute to the diversity to feel exploited. They may feel they are being used for the benefit they provide in serving a specific customer base. Finally, Ely and Thomas recommend the *integration-learning* perspective, which involves incorporating individuals representing diversity throughout an organization and enabling them to help fundamentally reshape business processes. This is, no doubt, a strong way for an organization to utilize diversity, but these three paradigms are not mutually exclusive. In this study, the focus of how diversity is measured would in terms of recruitment and retention of underrepresented populations would likely find the *discrimination-fairness* perspective to be ideal, however, concepts from the *integration-learning* perspective would still be highly beneficial.

In his 2004 book *Affirmative Action in the United States and India: A Comparative Perspective*, Thomas E. Weisskopf makes a case that the societal goals that affirmative action can help to achieve are harmony, democracy, equity, and efficiency through his study of positive discrimination policies in the U.S. and India. Further, Weisskopf (2004) proposes a model of the consequences of a positive discrimination policy as shown in Figure 1.

This study largely utilizes the above model, however there was a modification. The two boxes outlined in dashed lines are not covered extensively in this study, and this was done deliberately. There is an expansive body of literature within sociology specifically and the social sciences broadly which discuss characteristics of African

Americans in the U.S. and their academic performance as a whole, but racial inequality in the U.S. is often misunderstood by the general public. With these two boxes, there is a large variation for many people between their perceptions and realities. That is to say, a number of Americans believe that African Americans as a group possess certain negative characteristics, which are treated as biological (less frequently) or cultural in many instances. In like manor, the quality of performance by African American beneficiaries of affirmative action is not given a fair evaluation and is often presented as poor. For example, many believe that admitting African Americans to highly selective institutions like the University of Michigan is setting them up for failure, but those students tend to thrive once admitted and also when they graduate (Bowen & Bok 2000). With these prevalent perceptions, individuals holding those views will likely see the consequences of affirmative action as largely negative, and the costs outweighing the benefits. I argue that this is what contributes to the public opposition to affirmative action that has been a mainstay (Skrentny 1996). For this reason, this study focuses on the other aspects of Weisskopf's model.

This study explores not only which strategies are selected, but also the effectiveness of these strategies. Where a diversity program originates can have significant impacts on its effectiveness, and McAdam and Scott's theory on organizations and movements is useful for understanding a bottom-up approach to diversity programs in organizations. Utilizing McAdam and Scott's framework, the dominants in the field (EDOF) are white males, who disproportionately hold positions of authority in these organizations. Challengers, then, would be people outside of this group (racial minorities and women) (McAdam & Scott 2005). For the purposes of this study, the particular

challenger group of interest is African Americans. While they note that fields tend toward stability, they highlight the importance of *destabilizing events or processes* in periods of noteworthy field contention or change (McAdam & Scott 2005). These events alone, however, are not enough to prompt change; instead, they spark processes of *reactive mobilization* (McAdam & Scott 2005). The ultimate result of these mobilizations is to modify the institutional logics and shift the strategic alignment of the field (McAdam & Scott 2005).

In the period from 1971-1980 in which McAdam and Scott conclude their discussion of affirmative action, they note a shift in the institutional logic and its impact on the “structure, operation, and reach of the EMOF. Whereas “color blind” approaches to employment regulation had put the onus to evaluate and challenge questionable hiring/firing practices on the *employee* (or job applicant), affirmative action required *employers* to meet explicit hiring targets (McAdam & Scott 2005:36).” They argue that this shift, “granted *institutional legitimacy* to the *social logic* of affirmative action, prompting organizational actors in many institutional spheres to modify the structure and practice of their work settings (McAdam & Scott 2005:37).” Indeed, while originally applying to federal contractors only, this logic spread quickly to EMOFs that did not contract with the federal government and EDOFs as well.

Gordan Allport’s contact hypothesis highlights intergroup contact as one of the greatest tools for prejudice reduction between majority and minority group members (Allport 1954). Allport outlines four “optimal conditions” for prejudice-reducing contact: (1) when members are of equal status, with (2) common goals, (3) performing tasks that involve intergroup cooperation (4) under the support of authorities, laws, or customs

(Allport 1954). It is this fourth optimal condition that lends support to the idea that top-down diversity programs may aid in prejudice reduction.

It is worth noting that the contact hypothesis emerged at a time when racism was almost universally thought to come from irrationally held beliefs and individual attitudes; structural and systemic racism was not yet common even in sociology (Bonilla-Silva 1997; Emerson, Kimbro & Yancey 2002). The basic premise was that uniting people in interracial contact would help them to learn that their attitudes were irrational and lead to attitudinal change (Emerson, Kimbro & Yancey 2002). This assumed that attitudes and behaviors are causally related (Emerson, Kimbro & Yancey 2002).

The contact hypothesis has been the focus of criticism over the years. Some have argued that the contact hypothesis is ignorant of social norms and broader intergroup contexts mediating intergroup contact effects (Ata, Bastian, and Lusher 2009). However, some recent research supports the claims of the contact hypothesis, going further to say that any intergroup contact (including intergroup contact without the optimal conditions present) reduces prejudice; the optimal conditions only enhance the tendency for positive outcomes to emerge (Pettigrew & Tropp 2006). A meta-analysis with 713 independent samples from 515 studies found any type of intergroup contact to have beneficial, prejudice-reducing effects, and the optimal conditions were not essential for prejudice reduction (Pettigrew & Tropp 2006). In fact, 94 percent of the sample showed an inverse relationship between intergroup contact and prejudice (Pettigrew & Tropp 2006). Additionally, one study showed that even simply imagining intergroup contact reduced prejudice (Turner & Crisp 2010). The relative success of the contact hypothesis leads some scholars to the support of governmental policies based on integration:

"Irrespective of the influence of culture and racial/ethnic composition, contact can and does help to disconfirm stereotypes. Although the effects of contact are modest in an absolute sense, even relatively superficial contact helps to counteract some of the effects of other sources of stereotypes. As such, our results lend qualified support to the continuation of racial/ethnic policies that are designed to bring racial/ethnic groups into contact with one another. By promoting black-white contact and exposing whites to new information, desegregation and affirmative action policies in schools and workplaces are likely to help disconfirm anti-black stereotypes (Dixon & Rosenbaum 2004:277)."

Unfortunately, for those white individuals involved in the interracial contact or interracial friendships, these relationships have almost no effect on policy orientations towards blacks; whites continue to oppose governmental attempts to promote racial equality in spite of having interracial friendships (Jackman & Crane 1986), so successful top-down affirmative action approaches or diversity programs are unlikely to increase support for race-based policy; thus, the policies are unlikely to be internalized by the workforce and the organization as a whole. Additionally, if top-down approaches are selected without input from minority students and/or employees, but are imposed by predominantly white male leadership, these authoritarian policies are likely to face skepticism and a harsh reception from people of color.

PRIMARY RESEARCH QUESTIONS AND HYPOTHESES

Because affirmative action policies in organizations have typically emerged from a semi-dialectical between courts and personnel experts (where court rulings were followed by adaptations from personnel experts to avoid lawsuits, which then were reinforced as best practices through subsequent court decisions, etc.), the political and social context as well as industry norms and standards impact the range of possible programs (Dobbin 2009).

Clearly, context matters – which leads to the following hypothesis:

H1: Federal and state contexts impact the range of possibilities of diversity programs; federal policies oriented toward assimilation or multiculturalism are related to effectiveness of diversity programs, while state laws restricting the use of race are inversely related to their effectiveness as measured by African American representation throughout all levels of an organization or in college admissions.

After exploring the way the range of diversity strategies is restricted, attention shifts to the specific diversity strategies themselves. In light of the political, social, and industrial contexts which constrain the possible diversity strategies, the language of the strategies that emerge themselves is important. With the surge in colorblind racism and the questions surrounding the intent of diversity programs (to increase racial diversity in organizations or to protect organizations from lawsuits), a critical analysis of diversity programs is an important step in better understanding diversity strategies and relating them to their effectiveness (Bonilla-Silva 2018; Dobbin, Schrage & Kalev 2010). The first hypothesis includes the idea that colorblind policies are predicted to be less-effective than race-based policies in increasing African American representation in organizations, however in states where considering race is permitted, colorblind policies may still exist. This leads to the second hypothesis in this study:

H2: Diversity programs that lack specificity in articulating strategies or that employ colorblind logic will be less effective in hiring/promoting or admitting African Americans than those with specifically outlined, color-conscious strategies.

Recent successful challenges to affirmative action suggest the tide may be shifting again toward a colorblind logic or a logic of colorblind racism (Bonilla-Silva 2018). With its vague beginnings, affirmative action became more conservative in its implementation than some advocates desired, and policies have gradually shifted away from race-

conscious logic. As McAdam and Scott note, this places the onus back on the employee to challenge discrimination, and one could argue that this responsibility began its shift back to the employee when the EEOC was disempowered in the 1980s (McAdam & Scott 2005; Stainback & Tomaskovic-Devey 2012). So, as the environment has changed and colorblindness has reemerged, diversity programs may be symbolic efforts to shield from litigation or touted for public relations purposes. Further, those that are mandated are likely to generate resentment among employees (Sanchez & Medkik 2004). Conversely, diversity programs could again arise as a result of reactive mobilizations. This leads to the following hypothesis:

H₃: Diversity programs stemming from internal social movements (bottom-up) will be more effective in promoting racial diversity and more likely to be internalized by the organization than top-down diversity programs.

This hypothesis clearly indicates an expected superior effectiveness of bottom-up, social movement generated diversity programs, but that is not to say that top-down programs are entirely void of merit or value, particularly if they are the result of a mandate or governmental oversight which necessitates effective programs.

Based on research on the contact hypothesis, and considering the impact of team intensification that Lepadatu and Janoski identify, integration in workplaces is likely to be a promising avenue for reducing prejudice (Allport 1954; Dovidio, Eller & Hewstone 2011; Lepadatu & Janoski 2011). A number of issues faced by the first minorities entering a workplace, or by workplaces where there are only a few women or people of color, would be reduced if there were simply numerically more minorities or people of color there (Kanter 1977). While those racialized minorities involved in the process of prejudice reduction might not find it ideal, with a critical mass of others and a strong

network within the firm, it could very well alleviate some of the initial social-psychological harms. This leads to the final hypothesis:

H4: Top-down diversity programs will have some positive aspects regarding prejudice reduction, but are less likely to be internalized and thus unlikely to be as effective and as well-received, especially if women and minorities do not occupy these top positions and therefore were not involved in the process of selecting the programs. (Box 4 causes 5 which [through 6] causes 7)

RESEARCH DESIGN OVERVIEW

I collected data from three institutes of higher education; one in the state of Kentucky, one in Michigan, and one in the province of Ontario, Canada. The universities are the University of Kentucky (UK), the University of Michigan (UM), and the University of Western Ontario (UWO).

In terms of the legal environment, Michigan has been at the forefront of affirmative action conversations, with lawsuits at the University of Michigan that were ultimately taken to the U.S. Supreme Court (*Gratz v. Bollinger*[2003] concerning the points system for undergraduate admissions and *Grutter v. Bollinger* [2003] concerning consideration of race in law school admissions). In 2006, in the state of Michigan, voters passed Proposal 2 (the Michigan Civil Rights Initiative), a proposal similar to proposition 209 in California and advocated by some of the same individuals (e.g. Ward Connerly). Proposal 2 banned the consideration of race in public education, employment, or contracting. In 2012, however, the U.S. 6th Circuit Court of Appeals ruled the affirmative action ban unconstitutional, referring to it as a violation of “equal protection”; this decision was reversed in 2014 and Proposal 2 was upheld by the U.S. supreme court in the case *Schuette v. Coalition to Defend Affirmative Action, Integration & Immigrant Rights, and Fight for Equality by Any Means Necessary*. With the affirmative action ban

in Michigan beginning in 2006, it poses a compelling comparison to a state like Kentucky with no comparable formal ban.

For the U.S. schools, this study will focus on the primary research institutions in each state. In Michigan, this school has been at the forefront of diversity initiatives and battles over affirmative action, and has recently received national attention for the Black Student Union (BSU)'s twitter campaign to raise awareness of the negative experiences of black students on campus (being black at U of M, #BBUM). The movement went further, giving a list of demands to administrators and advising that, if not addressed, physical action would be taken. The result was a series of student-administration talks on-campus and an increase in BSU involvement in recruitment, among other things.

In contrast, in spite of nationally reported instances of racism on the campus of the Kentucky university in 2011 (where signs referring to president Barack Obama using a racial slur were discovered), the outcry and response was comparatively small. Two small demonstrations occurred and the university administration was asked by students to develop a facility on-campus researching racial intolerance, similar to their Center for Research on Violence Against Women. The magnitude of the demonstrations and the demands of the students was small in comparison to Michigan, but still significant. Although there have been subsequent demonstrations and conversations on campus in Kentucky, these events fall outside of the time period being studied. For example, in 2015 (after #BBUM had happened at Michigan), a group of black students met with top administrators at UK with a list of demands, one of which included addressing a 1934 Public Works Art Project mural which depicted a view of the history of Kentucky, including slaves working in fields and an indigenous man menacingly holding a

tomahawk. The University President, Eli Capilouto, had the mural temporarily “shrouded”, commissioned a committee, and ultimately left the mural there accompanied by a descriptive sign. This entire incident received limited national media attention.

Ultimately, while race can be considered in admissions in Kentucky and the university has a higher percentage of black students, it poses an interesting comparison. Perhaps it lends credence to Kanter’s assertion about the social psychological effects of being part of a numerical minority; Kanter would categorize both institutions in the same “token” category, but it could be that the smaller proportions in Michigan contribute to a more negative experience and thus generate a more aggressive response (Kanter 1977).

Michigan and Kentucky are also unique in their demographic compositions. According to the 2010 Census, the population of Kentucky is approximately 43.9 percent of that of Michigan. Michigan is slightly more educated than Kentucky, with 88.7 percent of its residents possessing a high school or higher education as compared to 82.4 percent in Kentucky. The median household income in Kentucky is also lower, at \$ 42,610 compared to \$ 48,471 in Michigan. In terms of race, Michigan is 78.9 percent white and 14.2 percent black, while Kentucky is 87.8 percent white and 7.8 percent black. The racial composition, specifically the African American populations in these states are significant as this study focuses on the African American populations at specific universities. Detroit is the source of much of Michigan’s black population; it was a destination of many during the Great Migration and for years a haven of stable manufacturing employment, subsequently transforming due to the phenomenon of white flight. Importantly, Detroit, and Grand Rapids (Michigan’s next largest metropolitan

region) are highly residentially segregated; the consequences of residential segregation on poor communities of color are numerous and multifarious (Massey & Denton 1993).

The comparison with Canada poses unique challenges. As a social construct, race can vary over time and location. As a legal construct, how race is defined varies based on the legal context. Canada's "disadvantaged groups" for the purposes of employment equity are (1) women of any race or ethnicity, (2) visible or racial minorities, (3) aboriginal peoples, and (4) persons with disabilities (Thomas & Jain 2004). As a result of the differing classifications between the U.S. and Canada, there are challenges in attempting to make "clean" comparisons.

For comparison, I examined universities in Michigan, Kentucky, and Ontario, Canada, which presented an interesting contrast. Michigan has a reputation being at the forefront of diversity initiatives, while no similar reputation exists for the University of Kentucky. Table 2 contains a useful comparison of some key information about the universities (with dependent variables in **bold** text) using available 2011-2012 National Center for Education Statistics' Integrated Postsecondary Education Data System (IPEDS) data (for Kentucky and Michigan), 2011 data from Common University Data Ontario (CUDO), and 2011-2012 data from the University of Western Ontario Office of Institutional Planning and Budgeting (UWO 2017a; UWO 2017b):

As evidenced by Table 2, there are substantial differences between these institutions in almost every category above. Many of the differences can be reflected in the unique histories and local contexts of each university. This again points to the importance of the qualitative aspect of this project, where these unique histories will be interrogated.

The IPEDS data used in this study consists of interrelated annual surveys conducted by the National Center for Education Statistics and gathered from every institute of higher education that participates in federal student financial aid programs. Enrollment data on race/ethnicity can be viewed, as well as retention rates, graduation rates, and other information. While prior research has shown minority applicants to college decline when race is no longer considered (Dickson 2006), and lower application rates necessarily lower the pool of promising scholars from which universities may choose to admit, enrollment statistics by race, publicly available through IPEDS, provide a clear picture of the numbers at a university that are so crucial in regards to tokenism (Kanter 1977). I use the IPEDS data for all predominantly white institutions of higher education within the states of Kentucky and Michigan (excluding HBCUs), and then focus on the data for the specific universities I select as well.

The IPEDS database contains a wealth of data and in-depth profiles of almost all universities can be obtained through this data. Particularly important for this research are:

- Institutional characteristics, including financial aid, total enrollment, etc.;
- Enrollment data, such as the racial and ethnic composition of enrollees, retention rates, etc.; and
- Completion data (i.e., graduation rates) by race.

With this data in hand, I present a broad overview in an effort to understand the diversity strategies at these institutions. In addition, I created yearly regression models for the years 2000, 2003, 2006, 2009, and 2012 predicting African American enrollment and completion using the IPEDS data, and observing changes in significant variables in these models from year-to-year, which I will discuss further in Chapter Six.

One way to review outcomes is simply to look at the enrollment and completion percentages for these institutions. They are presented in Figure 2 and Figure 3 below. These figures will be discussed further in the discussion of outcomes of diversity programs in Chapter Six.

Absent from the figures above is the Canadian institution, UWO, which has over 30,000 students and consistently ranks among the top Canadian research institutions. The University of Western Ontario is a well-respected institution and in some ways it is comparable to the U.S. institutions, but the context is different. The U.S. has a number of well-established racial categories (e.g. white, black, American Indian, Asian, and Latino), but the Canadian system differs (Snipp 2010). Canada's system, according to *Statistics Canada*, looks at "population groups" and places a major emphasis on visible minorities, defined by the *Employment Equity Act* as "persons, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour". So while in the U.S., scholars have debated if the future of racial classification looks like a black/non-black divide (Yancey 2003) or a tripartite "Latin Americanization" of the U.S. racial hierarchy (Bonilla-Silva 2018), the Canadian government shows preference or significance along a white/nonwhite binary. Additionally, diversity discourse in Canada differs substantially from diversity discourse in the U.S., as immigration scholars have contrasted the U.S. assimilationism against Canada's multiculturalism (Kymlicka 1995). Multiculturalism clearly involves recognition, although not necessarily redistribution (Fraser 1997), and the lack of race data for university students could mean multiculturalism is a problematic recognition that in fact conceals racial inequality at the university. Through the

qualitative methods outlined in Chapters Four and Five, these differences and issues are examined further.

Due to the number of outside and contextual factors impacting diversity at these institutions, descriptive tables accompanied by qualitative analysis (interviews, content analysis of diversity plans, etc.) provide a better picture of what factors contribute to a change in the levels of diversity within an organization. While one could conceivably quantify public sentiment, changes in the legal environment, etc., creating parsimonious models that include all of these contributing variables and maintain a predictive value would be a dramatic undertaking that would likely still fail to illustrate some of the gradations of change that impact diversity within organizations. This is, in large part, why this project is mixed-method, and involves content analysis of university archived websites and documents, as well as interviews.

The quantitative and qualitative analyses serve to uncover (1) why diversity levels vary in four organizations based on specific diversity strategies, and (2) why organizations ultimately choose one strategy over another. See Table 5 for a summary of the theory, hypotheses, and methods for this project.

In addition to the quantitative methods outlined above, I utilized qualitative research methods. Broadly, in comparing these three institutions in their contexts, I used the method of difference approach, described by Janoski and Hicks (1994:15) as follows:

“The method of difference (or indirect method of difference) is the selection of countries that have similar features on some variables but are different on other critical variables. One may then attribute causal force to the variables that do not have shared values. This is a combination of positive cases exhibiting agreement and negative cases that do not. This approach combines Mill’s methods of agreement and difference.”

By selecting states (and countries) and institutions with varying legal contexts, but that have some key similarities, I was able to explore the impact of the historical and legal context on the outcomes of their diversity programs.

ASSUMPTIONS, LIMITATIONS AND SCOPE (DELIMITATIONS)

While this study represents a strong contribution to the literature and our understanding of diversity at universities, it is not without limitations. As with all quantitative research, this study is limited by the variables provided from the datasets used. Additionally, comparative research can pose challenges in regards to finding comparable data for different nations. For this case, our use of the Canadian university and the ways it was incorporated into the study were determined in part by the data available.

Additionally, this study deals with affirmative action and diversity programs, which impact a relatively privileged group overall. Those in severe economic distress are unlikely to be impacted by diversity programs, good or bad. This type of higher education policy will not have an impact on lower-income African Americans, and even class-based affirmative action policies do not address the foundational problems of school inequality, environmental factors, parental involvement, etc. that all can impact a child's development and growth.

The scope of this study is limited to institutes of higher education, often seen as havens of liberal thought and places of racial tolerance (although events at Mizzou in 2015 and 2016 and other universities have drawn more attention to how inaccurate this assessment is) (Feagin, Vera, & Imani 1996). One would hope, however, that institutes of higher education that produce research and advance knowledge would be

implementing the best and most effective, empirically sound diversity programs that ultimately achieve the goals of a more equitable and diverse workplace. Thus, in focusing the study on universities, the idea was to look at some of the cutting-edge policies and practices for achieving diversity, hopeful that these results would translate well to other environments as well.

CONCLUSION

Affirmative action is in jeopardy, and the state of race-based social policy in the U.S. is in limbo. It is within this national context that an investigation of diversity in organizations is extremely valuable. This project serves to connect the various diversity strategies that prior research has uncovered with the actual diversity levels in university student bodies to determine the success of specific diversity programs as measured by African American student enrollments and completions. Additionally, this research explores why levels of racial diversity vary in organizations and how the political and social context, effectiveness of a strategy, and opposition to that strategy all play a role in organizational diversity. Finally, this project also looks at why organizations utilize specific strategies for diversity pursuits, exploring who chooses the strategy and the impact of the political and social context in that choice.

This much-needed research will advance our understanding of the relationship between diversity policies and results, but will also serve to inform public discourse on race-based social policy. Public opinion concerning race-based policy is at times based on fiction (Pride 2000); when exposed to facts, public opinion has potential to shift. Shifting public opinion to support policies that help historically disadvantaged groups without substantial costs to the dominant group, promoting increased interracial contact,

and simultaneously working to reduce the “zero-sum game” mentality held by many whites in America should lead toward more productive public policy discussions and ultimately a reduction in inequality and prejudice (Allport 1954; Feagin & Vera 1995; Pettigrew & Tropp 2006).

The next chapter of this book will be a review of relevant literature. I discuss the history of affirmative action, some of the logics behind the program, as well as public perception and misperception of affirmative action. Additionally, I will provide a comparison of affirmative action to other similar programs globally, and look at what alternatives to affirmative action are being discussed (as well as those that are not being discussed).

Chapter Three will provide historical, legal, and social contexts of the three Universities, including details about each university that will be necessary in order to strengthen the capacity to make comparisons. These contexts are crucial as the development, mission, purpose, and culture of the university impact its range of feasible diversity programs as well as their potential effectiveness. In that way, this chapter connects directly to Hypothesis 1 and is informed, in part, by the work of Stainback and Tomaskovic-Devey (2012).

Chapter Four focuses on the language of diversity, which will include critical analysis of how diversity discourse operates differently or similarly at the three universities in light of their varying legal, historical, and social contexts. This chapter provides a content analysis of archived websites for each university, and is informed by the work of scholars like Bell & Hartmann (2007), Berrey (2015) Embrick (2006), and Bonilla-Silva (2018). Hypothesis 2, which this chapter deals directly with, suggests that

those diversity initiatives lacking specificity or employing colorblind logics will be less successful in increasing African American student enrollments and completions at these institutions.

Chapter Five explores the origins of implemented diversity programs and ties directly to hypotheses three and four. These hypotheses suggest that top-down diversity programs are less likely to be effective (H₃) and bottom-up, movement generated hypothesis are likely to be more effective (H₄). These are significantly informed by the work of McAdam and Scott (2005). Of course, these hypotheses are considered in light of H₁ and H₂ – context and specificity of programs still matter.

Chapter Six provides the quantitative aspect and is necessary to fully evaluate the effectiveness of diversity programs in terms of black student enrollments and completions. A caveat on this chapter, mentioned before, bears repeating: this data is not available for UWO. This lack of data, however, is not a lack of information, but provides room for a fascinating intellectual inquiry in this chapter and a new critical angle from which to view multiculturalism.

Finally, in chapter Seven, the conclusion, the results of the previous analysis chapters are summarized, contextualized, and key takeaways are provided, including recommendations.

Table 1, Diversity Strategies

Strategy	Description	Frequency of adoption
Diversity training	Sensitivity training to expose racial/ethnic/gender bias and help overcome stereotyping	Most frequent
Diversity evaluations	Performance evaluations for feedback on diversity efforts	Moderately frequent
Network program	Affinity networks to encourage social-mobility through social networks and provide an avenue to discuss shared experiences and commonalities	Moderately frequent
Mentor program	Pair lower-level employees who aspire to move up the corporate ladder with higher-ups to offer advice and assist in locating opportunities for advancement	Least frequent
Diversity taskforce	Managers from different departments assembled and assigned responsibility to think of and implement methods of increasing diversity, and evaluate success or failure of those methods	Moderately frequent
Diversity manager	Individuals assigned responsibility to think of and implement methods of increasing diversity, and evaluate success or failure of those methods	Least frequent

Source: *Dobbin, Kalev and Kelly (2007).*

Table 2, Overview of Three Universities

	University of Kentucky (UK)	University of Michigan (UM)	University of Western Ontario (UWO)
Tuition – in-state, on campus*	\$ 22,960	\$ 25,848	\$ 5,391 CDN (CUDO 2011)
Tuition – Out-of-state, on campus	\$ 33,148	\$ 51,976	\$ 16,771 CDN (CUDO 2011)
Percent receiving any financial aid	95%	65%	
Total enrollment	28,034	43,426	27,525 (institutional planning 2012)
Race – black	7%	4%	*
Race – white	79%	65%	*
Percent admitted	68%	37%	*
2011 Full-time student retention rates	81%	97%	N/A
2006 first-time, full-time undergraduate overall graduation rates	59%	91%	N/A
Percentage of completions that are black students	5%	4%	*

* - UWO does not collect race data

Note – bolded figures are dependent variables for quantitative analysis in Chapter Six

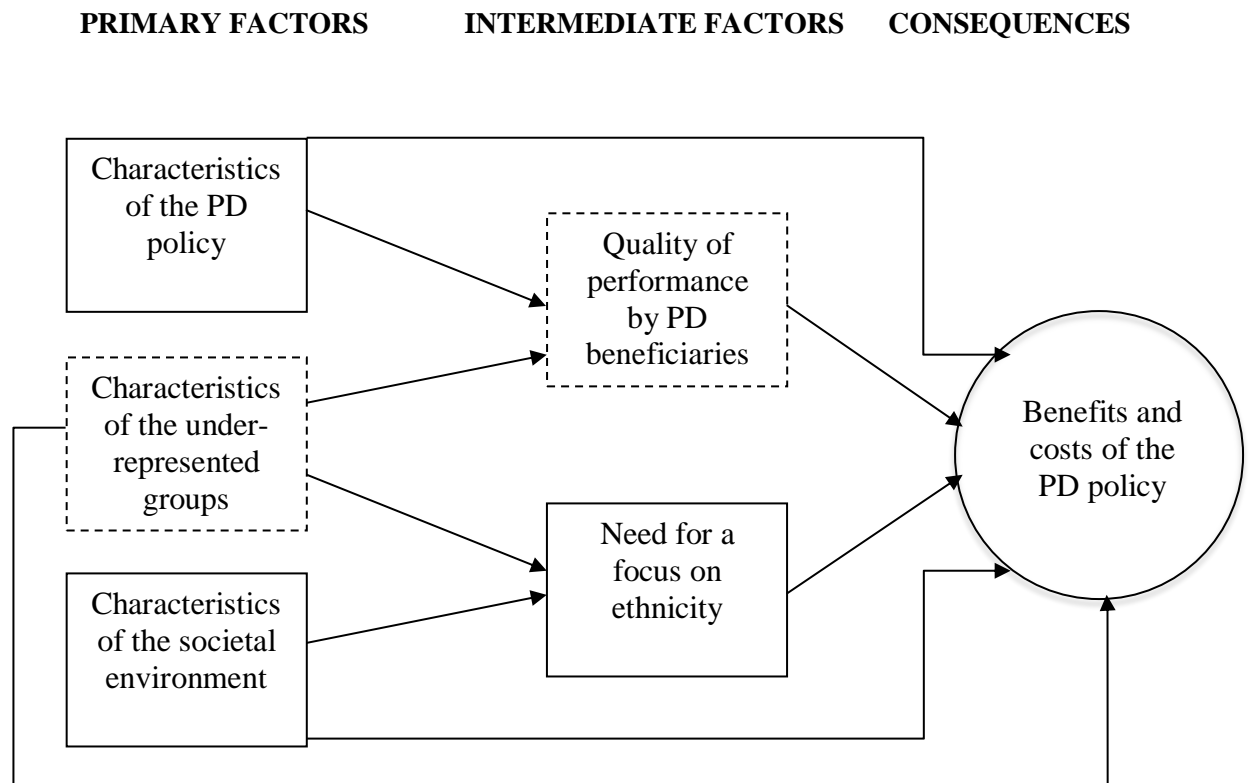
Table 3, Summary of Theory, Hypotheses, and Methods

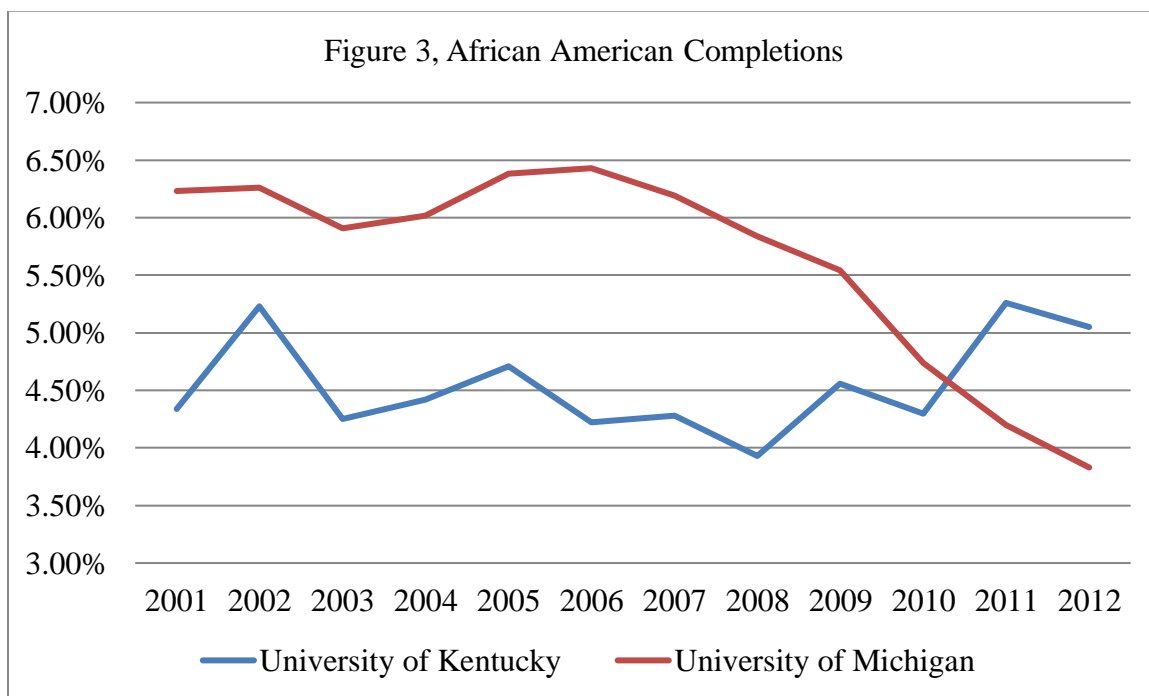
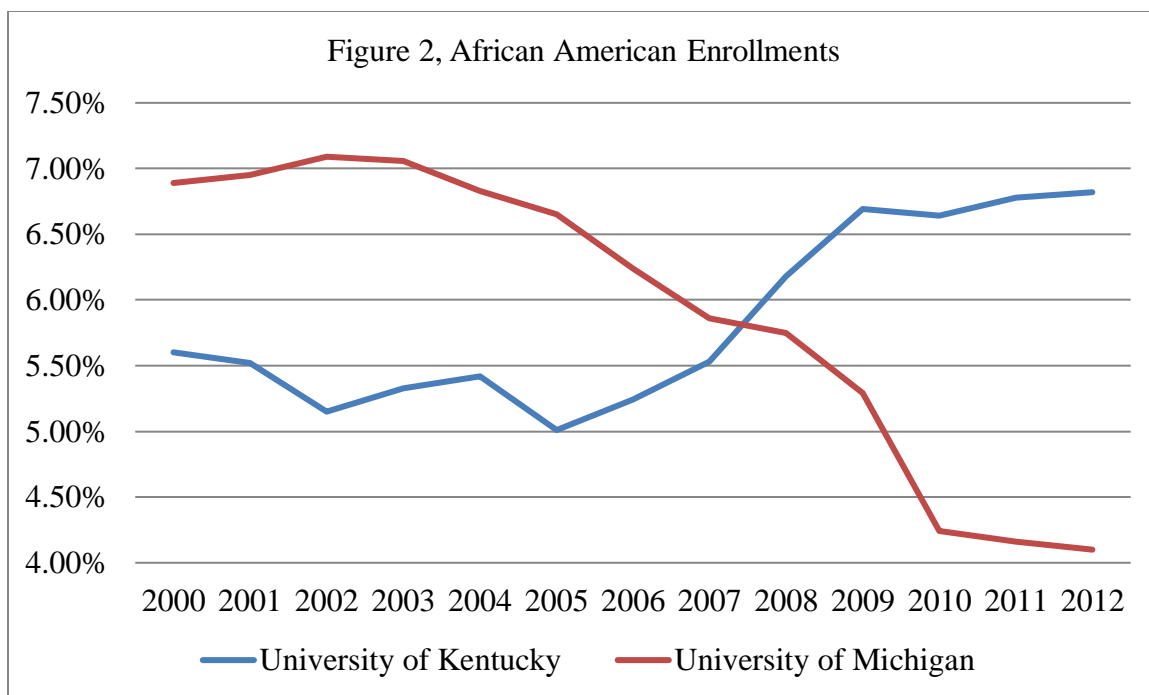
Theory Reference	Hypothesis	Method
Stainback and Tomaskovic-Devey 2012	Federal and state contexts impact the range of possibilities of diversity programs, (e.g., republican presidents spend less on EEOC enforcement, state laws restricting the use of race). Federal policies oriented toward multiculturalism are positively related to effectiveness of diversity programs, while federal programs related to assimilationist views and state laws restricting the use of race are inversely related to effectiveness of diversity programs.	Review significant changes in federal and state law or court cases concerning affirmative action, as well as reviewing the policies of state and federal governmental administrations from 2000 – 2012.
Bonilla-Silva 2018; Embrick 2006	Diversity programs that lack specificity in articulating strategies or that employ colorblind logic will be less effective in admitting or retaining African American students than those with specifically outlined, color-conscious strategies.	Content analysis of diversity plans for universities by reviewing archived website iterations and internal documents to understand specific strategies and institutional culture and determine their effectiveness over. Through interviews, determine how specific strategies were selected. Effectiveness of strategies determined by reviewing descriptive statistics from IPEDS data over time; and through comparing yearly regression models predicting AA enrollment, graduation rates at Universities.
Allport 1954; Dovidio, Eller & Hewstone 2011; Lepadatu & Janoski 2011; Dobbin & Kalev 2007; Dobbin, Kalev & Kelly 2007	Top-down diversity programs will have some positive aspects regarding prejudice reduction, but are less likely to be internalized and thus unlikely to be as effective and as well-received, especially if women and minorities do not occupy these top positions and therefore were not involved in the process of selecting the programs.	Interview key personnel to determine if top-down approach for diversity programs was used and how it was perceived by employees/students. Effectiveness of strategies determined by reviewing descriptive statistics from IPEDS data over time; and through comparing yearly regression models predicting AA enrollment, graduation rates at Universities.

Table 3, Summary of Theory, Hypotheses, and Methods (continued)

Theory Reference	Hypothesis	Method
McAdam & Scott 2005	Diversity programs stemming from internal social movements (bottom-up) will be more effective in promoting racial diversity and more likely to be internalized by the organization.	Interview key personnel to determine if bottom-up social movement led to diversity initiatives and how they were perceived by employees/students. Effectiveness of strategies determined by reviewing descriptive statistics from IPEDS data over time; and through comparing yearly regression models predicting AA enrollment, graduation rates at Universities

Figure 1, Factors and Consequences of Positive Discrimination Policies - Modified from Weisskopf (2004)





CHAPTER TWO: THE HISTORY AND LOGIC OF AFFIRMATIVE ACTION AND ALTERNATIVES

This chapter provides a review of relevant literature, focusing primarily on affirmative action in the United States. It includes a history of affirmative action and explores the logics of affirmative action (legal, practical, and academic/intellectual). Then, the chapter shifts focus, discussing the benefits of integration and, on an individual level, social psychology of being a token. Next, this chapter discusses the history of public opinion on affirmative action, connects affirmative action policy to social mobility, and discusses alternatives that are often floated in discussions of affirmative action. All of this background is useful in informing the exploration of diversity programs at UK, UM, and UWO from 2000 to 2012.

HISTORY OF AFFIRMATIVE ACTION

From the 1820s until the end of the 20th century (after the industrial revolution), employers commonly matched people to jobs by ability, but not before first dividing them by race and sex; as a result, African Americans and women were restricted to certain jobs (Dobbin 2009). Taylorism and scientific management were used as justifications for matching workers by race and sex, based on perceived strengths of certain races and sexes which suited them for specific job functions (Dobbin 2009). Unfortunately, labor unions provided no real help, even after the increase in labor unions that resulted from passage of the Wagner Act of 1935 (which was the first instance of the term “affirmative action”), because they were segregated and devoted to their members’ collective interest often at the expense of their nonmembers; at the time of the Wagner Act, less than 1% of all union members were African American (Dobbin 2009; Frymer

2008). While progress has been made since then, such that now African Americans join private-sector unions at higher rates than whites, the general trend of deunionization has exacerbated racial wage inequality, especially between black and white women (Rosenfeld & Kleykamp 2012).

Politically, to get the landmark legislation referred to as The New Deal passed required working and compromising with southern Democrats; typically, these compromises involved less emphasis on the rights of African Americans and resulted in a disproportionate benefit of New Deal policies to Whites (Katznelson 2006). There were a number of ways this happened, including allocation of federal relief funds being permitted by states, where southern states tended to allocate funds in favor of whites and to the detriment of African Americans (Katznelson 2006). Likewise, overwhelmingly African American occupations like domestic maids and farmworkers were often ineligible for key New Deal programs (like Social Security) (Katznelson 2006). Ultimately, having very little political representation in the South resulted in blacks not benefitting from the New Deal and its constitution as a form of affirmative action for whites; in fact, blacks were not included in the social security system in large numbers until the 1950s (Katznelson 2006).

In addition to social security, the National Industrial Recovery Act (NIRA) did not apply to farming or agricultural workers, and legislation like the Taft-Hartley Act which made union organizing more difficult helped ensure the political, social, and economic structure of the South would not be challenged by organized labor (Katznelson 2006). Unions themselves were often racially restrictive and kept blacks out, so federal

work policies often bolstered prospects for white workers (particularly in the South) while leaving black workers unprotected (Katznelson 2006).

African American soldiers who fought valiantly in WWII may have expected, as W.E.B. DuBois noted, military victories to be followed by victories at home in the realm of race relations and civil rights (Katznelson 2006). Unfortunately, segregation and inequality were rampant in the armed forces, and the access to training, occupational advancement, and upward mobility within the military for black members was restricted (due largely to the South's control of military policy) and impacted them after the conclusion of the war as well in the form of a larger race gap (Katznelson 2006). After WWII, the GI Bill helped create and educate a middle-class, but this law was designed to accommodate Jim Crow and essentially created a government-sponsored white middle class (Katznelson 2006). The law itself was colorblind, but administration and implementation was left up to states and localities that practiced overt racism in this process (Katznelson 2006). Even without this racist administration, the fact that a smaller proportion of black soldiers were admitted when compared to whites already had limited the potential of the bill to help African Americans (Katznelson 2006). For those African American soldiers who did benefit, racism in college admissions in the North was also a factor, so 95% of these veterans attended HBCUs (Katznelson 2006). Fewer black veterans reaped educational benefits proportionately, and those who did attended smaller, poorly-funded HBCUs that had a difficult time competing (Katznelson 2006). Those who attended vocational schools were tracked into lower-wage and less prestigious vocations, and were also scammed by for-profit institutions; meanwhile, job placement services provided were often staffed by white employees who channeled blacks into

“black jobs” (Katznelson 2006). Finally, loans were often not given to black veterans, so this too played a role in creating the economic and educational attainment gap by race (Katznelson 2006). Viewed holistically, the collection of policies and practices outlined here are what some have referred to as a time “When Affirmative Action was white (Katznelson 2006).”

The term “affirmative action” was not used to describe those policies, however. In 1961, federal contractors were required to take “affirmative action” to ensure hiring racial minorities, and congress disallowed discrimination in all workplaces in 1964, succumbing to the pressures exerted by activist like the Urban League and National Association for the Advancement of Colored People (NAACP) (Dobbin 2009). In fact, affirmative action has had a stronger impact on increasing the proportion of women and racial minorities in high-paying jobs at federal contractors than noncontracting firms from 1973-2003 (Kurtulus 2012). Originally, affirmative action was not simply about stopping discrimination, but taking things a step further in the opposite direction (Katznelson 2006). The affirmative action guidelines were vague, so personnel experts in companies took the opportunity to create and monitor corporate compliance and encourage employers to follow their guidelines to avoid the risk of punishment from the government (Dobbin 2009). Corporate nondiscrimination policies, targeted recruitment (at HBCUs for example), and training programs, expanding their professional turf and responsibilities (Dobbin 2009). “Plans for Progress” firms served as benchmark institutions in this process, developing best practices endorsed by the Equal Employment Opportunity Commission (EEOC) and following the lead of Lockheed Martin’s response to affirmative action regulations (Dobbin 2009). Still, the lax enforcement of affirmative

action was problematic, and civil rights leaders as well as the President's Committee for Equal Employment Opportunity (PCEEO) officials pushed for increased oversight and enforcement (Dobbin 2009).

Personnel experts in the 1960s did not know what was required for affirmative action, so they eliminated overt discrimination in recruiting and promotion and pursued targeted recruiting policies (Dobbin 2009). The regulations increased in the 1970s as the federal government insisted that federal contractors submit affirmative action plans, the EEOC was allowed to sue employers, and the supreme court changed the definition of discrimination in the *Griggs v Duke Power Co* case in 1971 to include actions that appeared race-neutral but had a "disparate impact" on minority groups (Dobbin 2009). The three-pronged response to this beefed-up enforcement by personnel experts was to (1) add a new compliance department within personnel, (2) transfer accountability for affirmative action requirements to individual managers, and (3) implement a grievance procedure designed to keep complaints within the organizations rather than allowing them to get to the EEOC (Dobbin 2009). Specifically, validated job tests, restructured job ladders, formal standardized job descriptions and pay scales, performance evaluations, and other measures common in many jobs today were all designed to protect against discrimination (Dobbin 2009). Personnel experts, through these actions, effectively shifted the definition of discrimination to mean the absence of any formal systems of employment placement and evaluation, providing recognition of discrimination as embedded in institutions (Dobbin 2009). As of the late 1970s, many executives favored affirmative action because it not only mitigated the risk of lawsuits about discrimination, it helped remove prejudice and caused a greater meritocracy within

firms, where people were less likely to get promoted simply based on who they knew (Dobbin 2009).

In the 1978 case *Regents of the University of California vs. Bakke*, Justice Lewis F. Powell Jr. said that discrimination being remedied through affirmative action should be specific, identifiable, and broadly institutional, fulfilling the aspirations of president Lyndon B. Johnson (Katznelson 2006). This argument allowed for historical evidence to become the necessary proof of the need for governmental intervention, and Katznelson argues that this type of reasoning is rarely invoked, but should be used in arguments supporting affirmative action today (Katznelson 2006).

The 1980s was a time of decline in the enforcement of affirmative action as the Reagan administration pushed for deregulation (Dobbin 2009). Affirmative action soon shifted to be defined as “diversity management”, and in an effort to remain legitimate, human resource management experts made business and financial cases for diversity management (Dobbin 2009; Edelman et al. 2001). This effort helped preserve positions and professional turf gained in the 60s and 70s. Diversity initiatives were supported in part by misinterpretation of labor secretary William Brock’s *Workforce 2000* report, which was interpreted to suggest that white men would be a tiny segment of the workforce by the 21st century (Dobbin 2009). As the business case for diversity management was made, the focus shifted from legal compliance to productivity, and diversity training, culture audits, mentoring programs, and networking programs were unveiled, revealing the embeddedness of discrimination in organizations (Dobbin 2009). The women’s movement helped create even more regulation regarding “women’s issues”

like maternity leave, the Family Medical Leave Act (FMLA), and the advent of sexual harassment litigation (Dobbin 2009).

John David Skrentny noted several “ironies” of affirmative action (Skrentny 1996). Among them, Skrentny noted that the supposedly standard merit model of employment justice is in terrible condition, yet those on the political Right continue to defend it while pushing for colorblindness (Skrentny 1996). On the political left, Skrentny noted that race-based policy constituted political death in 1964, yet suddenly those on the left became its strongest advocates and it became a major part of the liberal agenda (Skrentny 1996). One criticism of affirmative action relates to this, “In effect, the EEOC is engaged in breaking the law under which it operates (Glazer 1987:53).” While it seemed colorblindness was the initial goal, proportional hiring became a goal (Skrentny 1996), seemingly directly violating the principle it was initially trying to uphold.

Finally, Skrentny noted a couple major ironies: that the rise of affirmative action came as public opinion seemed to be solidly against it and that it became a political possibility without any organized lobbying, all while the political right did virtually nothing to stop it (Skrentny 1996). Additionally, in discussions of affirmative action, it is somewhat ironic that women and other groups are typically absent in the debate (Skrentny 1996). Also noteworthy, the decision to enforce the colorblind law of affirmative action used administrative pragmatism to sacrifice colorblindness in order to attain their goal, choosing race-consciousness and effectiveness over colorblindness and failure (Skrentny 1996).

In opposition to affirmative action, Skrentny noted that belief in a meritocracy should not be the driving force behind opposition to affirmative action, because it was not

an obstacle for the Veterans' Preference Act of 1944 (Skrentny 1996). This act afforded blatantly preferential treatment to veterans as opposed to civilians in numerous areas and was justified by the fact that veterans offered their lives for the country; however, the benefits of the act were not offered to those who voluntarily enlisted alone, but those who were drafted and who did not voluntarily offer their lives for their country still reaped benefits (Skrentny 1996). Skrentny dismissed the argument that veterans' preference is earned while racial preference is unearned, arguing that there must be some better type of reward than job preference for veterans (Skrentny 1996). He also noted that the practice of nepotism violates the principles of a meritocracy but there is no major public outcry in that regard; although it is prohibited in government, it is heavily practiced in private industry (Skrentny 1996). Ultimately, Skrentny sought to point out the inconsistency where sometimes American citizens and lawmakers tend to believe in equality of opportunity and sometimes in exclusion and preference (Skrentny 1996). Similarly troubling legal inconsistencies are demonstrated in citizenship cases (the *Ozawa* and *Thind* cases, for example) where courts varied between scientific evidence and common knowledge to justify the boundaries of whiteness and citizenship; the history involving these cases and the weak case against affirmative action as a violation of American ideals could reveal a pattern of attempts to preserve and defend top position in a racialized social system that privileges whiteness (Bonilla-Silva 2018; Haney-Lopez 1996; Skrentny 1996).

THE LEGAL AND PRACTICAL LOGICS OF AFFIRMATIVE ACTION

One of the major notable characteristics about affirmative action is how vaguely defined it is. Beginning in 1961 with John F. Kennedy's Executive Order 10925 requiring that federal contractors take "affirmative action" to end employment discrimination and in the Civil Rights Act of 1964 that outlawed employment discrimination, details on what exactly was required of employers were sparse (Kelly & Dobbin 1998).

When affirmative action first came about in the 1960s, personnel experts were at a loss for what to do to, so they modified recruitment strategies and removed any overt discrimination from recruiting and promotion (Dobbin 2009). Over time, court cases added detail and modified the meaning of affirmative action, and personnel experts who had claimed this type of compliance responded – essentially setting the "best practices" that the court would then look to for what signified appropriate compliance efforts (Dobbin 2009). Executives in the 1960s and 70s tended to favor affirmative action not only because of the way it reduced risk of lawsuits, but because it helped remove prejudice and create a more properly functioning meritocracy (Dobbin 2009). In a way, personnel experts had shifted the definition of discrimination, which after the *Griggs* ruling and the implementation of job tests, formalized job descriptions and pay scales, etc., meant the absence of formal systems of employment placement and evaluation; in this way, discrimination was now seen as embedded in institutions (Dobbin 2009).

The 1980s marked a challenging time for affirmative action as the Reagan administration's push for deregulation took its toll, lowering the threat of lawsuits for noncompliance with affirmative action (Dobbin 2009). The misinterpretation of the

Workforce 2000 report helped increase the perceived need for diversity initiatives, and the focus shifted to economic/business rationalizations of how diversity helped productivity and the bottom line for an organization (Dobbin 2009). The business rationale is not without merit; workplace racial diversity is associated with increased sales revenue, greater relative profits, and more customers (Herring 2009). Affirmative action, at this time, shifted to a diversity management paradigm, justified through economic and financial means as opposed to principles of fairness and equality (or the discrimination-fairness paradigm) (Ely & Thomas 2001) .

Over the years, other historical factors and rationalizations for affirmative action have also come about. Skrentny, viewing affirmative action as a form of crisis management, noted that, “a racial crisis, the severe race rioting of the 1960s, made available a discourse of crisis management with which affirmative action or other normally risky, race-targeted measures could be advocated by the political and business elites (Skrentny 1996:67).” He noted that historically, wartime has been a time of crisis that ultimately results in the advancement of civil rights, the largest example being the U.S. Civil War (Skrentny 1996). In this case, support for affirmative action came as a method of crisis management and out of concern for a threat to elite control (Skrentny 1996).

Many whites at the time of these riots were angry, since they occurred after the civil rights movement, and the riots helped to further fragment and divide the civil rights movement between the more violent Black Power movement and non-violent strands (Skrentny 1996). Most whites, who at the time of the movement tended to share responsibility for black racial disadvantage, after the passage of the Civil Rights Act

shifted the blame to black communities alone (Shuman & Krysan 1999). Lyndon B. Johnson was president at the time of all this, and both the civil rights act and the war on poverty were birthed from the previous Kennedy administration; Johnson appointed the Kerner Commission, a group of moderates who professed colorblindness, to address the racial strife persisting in the U.S (Skrentny 1996). Among the Kerner Commission's ultimate recommendations were race-based promotion and recruitment in law enforcement and news organizations, but the report lacked concrete policy initiatives (Skrentny 1996). Still, Skrentny argues that the racial crisis presented an opportunity for "elaborate public exposition of the concept of 'systematic', non-intent-based, discrimination (Skrentny 1996:95)," undertaken by the Kerner Commission.

Once implemented, some politicians often argue that entitlements or specialized programs like affirmative action are difficult to overturn. The doctrine of precedence or *stare decisis* helps build tradition into law (Skrentny 1996). In the past, this law has been used to restrict rights and create boundaries of whiteness in the U.S. (Haney-Lopez 1996), and in the case of affirmative action, looked at as congruent with American values, morals, and civil rights; the principal of equality and idea that all men are created equal was used as a justification for affirmative action (Skrentny 1996). In cases concerning affirmative action, "equality was consistently being understood as both an equality of treatment and an equality of economic results (Skrentny 1996:151)." Hitler's influence helped, as it served to make the courts' obligation to protect minority communities more salient (Skrentny 1996).

Lyndon Johnson was famously quoted as saying in 1965, "You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the

starting line of a race and then say you are free to compete with all the others, and still just believe that you have been completely fair." This rationalization clearly points to historical discrimination and its significance, aligning with the argument Katznelson (2006) suggests should be used. While it is a recognition of a need for race-conscious employment and college admissions practices to level the playing field, it is also a strong recognition of a history of oppression. Johnson's rationale seems focused more on need (what is needed to uphold American ideals of equality of opportunity) with a recognition that the past partially produced the inequality, but not as a compensation for past wrongs as directly. The public opposition to affirmative action and race-based policy points to a belief that contemporary discrimination is not a major factor, however, and that affirmative action was only needed in the past and needed as compensation in the past, but is no longer important in spite of persistent racial inequality in education, employment, wages, etc. (Bonilla-Silva 2018; Skrentny 1996). With the way diversity programs are more frequently rationalized economically, it seems need and compensation for the past have both taken a back seat to the profit motive, occurring through the "managerialization" of law (Edelman et al. 2001). The rationalizations for affirmative action appear to have gotten away from both historical and contemporary discrimination, which is perhaps problematic for its defense to the general public (although a low awareness for the realities of racial inequality is equally problematic). So while a number of corporations and universities may express support for affirmative action in amicus briefs to the U.S. Supreme Court, public opposition stands.

As noted earlier, affirmative action is relatively general and vaguely defined. It is broad and has been applied in a number of ways historically. While it was controversial

under Nixon for being so targeted that it required proportional representation and explicit percentages of minorities to be hired, it was subsequently modified in the revised Philadelphia Plan to have percentage *targets* that firms needed to demonstrate a good faith attempt of reaching (Skrentny 1996). Affirmative action was thought to be a temporary solution, but in part due to its vagueness and low levels of effectiveness in addressing racial inequalities for minorities and women in all classes, it has no planned end in sight (Wilson 1987). Based on the current political climate, it seems highly unlikely that any meaningful improvements to affirmative action will come, especially if affirmative action is ended with no alternative immediately implemented. Additionally, if progressive whites do not favor or see a need for race-based policy, while some suggest “reaching beyond race” will better serve minority communities by raising the tide and lifting all boats, targeted race-based policy should be an effective and understandable response to a history of race-based policy favoring whites and continued contemporary discrimination (Bonilla-Silva 2018; Katznelson 2006; Sniderman & Carmines 1999; Wilson 1987).

Recently the U.S. Supreme Court weakened enforcement of key elements of the Voting Rights Act, suggesting these enforcement provisions were no longer necessary (Liptak 2013). The result has been a flurry of new legislation and voter identification requirements targeted at reducing minority and Democrat votes. While affirmative action presents a different case, the way affirmative action enforcement was robbed of its effectiveness in the 1980s and the current push for smaller government have worked to preserve white privilege and stalled major gains from affirmative action, which mostly occurred during the 1960s and 1970s (Dobbin 2009; Katznelson 2006; Stainback &

Tomaskovic-Devey 2012). Pursuing time limits for affirmative action is dangerous, and affirmative action is so vaguely defined that perhaps rather than specific time limits, affirmative action policy could work in stages. For example, although some critique the principle of proportional representation (D'Souza 1995), demonstrated efforts at proportional representation could earn institutions a lower degree of oversight. Overall, oversight needs to be increased; much like the criticisms levied against the Fair Housing Act, a systemic approach to preventing employment discrimination and ensuring equal opportunity for disadvantaged minorities should be implemented (Massey & Denton 1993). The required filing of federal EEO-1 reports is a start (Dobbin 2009).

Some challenge affirmative action, questioning whether it is sufficiently targeted. To those concerns, it seems that the principle of proportional representation (or efforts at it) address them. If seeking proportional representation for race and gender of a workforce, affirmative action policies in hiring are necessarily targeted at disadvantaged populations with respect to that company. If an industry is dominated by people of a particular gender or race, demonstrating effort to recruit them will satisfy affirmative action requirements. If affirmative action is included with policies that “reach beyond race” as a “hidden agenda”, and in concert with broader economic policies, both race and class inequality will be addressed and lower-class minority communities will not be left behind (Sniderman & Carmines 1999; Wilson 1987).

However, criticisms of affirmative action also include the fact that even affirmative action in University admissions is too little, too late. Opponents of affirmative action in admissions suggest that racial minorities who are admitted through affirmative action will not be able to perform up to the rigorous academic standards of

the institution, but available data suggests that admitted minority student achievement levels reach that of their peers from more privileged backgrounds (Bowen & Bok 2000). While they do manage to achieve well, this does not take away from the grave inequality in the broader education system that needs to be addressed. In fact, educational reform on a broad scale could help lessen the importance of affirmative action, if academic merit were truly the primary factor in college admissions (and this is not clearly the case) (Bowen & Bok 2000). Because admissions is so complex and subjective and so many factors come in, the idea of merit that many people have when they think of admissions is not a reflection of reality, whether or not race is considered in admissions (Bowen & Bok 2000). In practice, admissions officers often engage in affirmative action to preserve a legitimate “contest” for admissions, and also to right perceived wrongs (Grodsky 2007). It is clear the goal is to make admissions merit-based and fair. Still, college admissions is a step that is far along on the educational journeys of most people, if they attend college at all. An aggressive reform of education and the ways public schools are funded could reduce the tremendous class and racial inequality in educational funding and educational achievement. This education reform could be “colorblind”, a class-based reform of the educational system would impact lower-income schools in a positive way and disproportionately benefit black and Latino students who are overrepresented in these schools.

THE ACADEMIC AND INTELLECTUAL LOGICS OF AFFIRMATIVE ACTION

While affirmative action has necessitated political justifications to remain as policy, intellectual justifications also play a role; as much as one might hope that policy is informed by intellect, this is not always the case. Over the years, some of the political

justifications listed above have also been intellectual justifications. Gordon Allport's contact theory provides one justification, not for preventing discrimination, but for encouraging diversity and diversity management programs (Allport 1954). While Allport identifies several ideal conditions in which contact from different groups will reduce prejudice, including (1) equal status, (2) common goal, (3) institutional support, and (4) intergroup cooperation; lean production is a great environment for these conditions to be found, however later studies have shown that any contact generally reduced prejudice and even imagining intergroup contact or viewing it on television can help reduce individual prejudice (Allport 1954; Lepadatu & Janoski 2011; Pettigrew & Tropp 2006; Schiappa, Gregg & Hewes 2005; Turner & Crisp 2010). In this way, affirmative action policies that emphasize outcomes can be rationalized as addressing contemporary biases better than passive equal employment opportunity policies that only measure intentions (Dovidio & Gaertner 1996). Prejudice reduction is a great goal, but it also goes with the clinical approach to racism and does not address structural racism (Bonilla-Silva 2001). Still, perhaps prejudice reduction would lead to more cross-cultural empathy and a greater support for policies that would structurally address racial inequality.

Janoski sets out a framework of rights and obligations in his 1998 book, *Citizenship and Civil Society*. In the book, he discusses different balances of rights and obligations in different societies and what is emphasized in traditional, liberal, and social democratic regimes. He touches on affirmative action briefly, noting that affirmative action constitutes an immunity per Hohfeld's typology and is a legal citizenship right because it "attempts to achieve equality of opportunity put into deficit by systematic violations of civil, political, and social rights (Janoski 1998:44)." Legal rights are

differentiated from social, political, and participation rights (Janoski 1998). Legal rights are seen as “an exception to universalistic principles because of a deprivation of rights in the past,” and “can refer to compensation for aggrieved groups (Janoski 1998:43).”

Clearly this perspective emphasizes affirmative action as compensatory for past discrimination, and is not as closely associated with contemporary racial inequality. If affirmative action is primarily about addressing past discrimination but less focused on contemporary discrimination (see Bertrand & Mullainathan 2004; Pager 2007), it suggests, as Dr. Martin Luther King once said, “The arc of the moral universe is long, but it bends towards justice.” Talcott Parsons, however, argues that full citizenship for African Americans may never be achieved, and the stigma of inferiority associated with dark complexions along with the way in which they entered the U.S. differentiates them from other groups like European Jewish and Catholic immigrant groups and hinders their prospects (Steinberg 1981; Parsons 1965).

Affirmative action concerns group rights – the rights of historically disadvantaged groups whose rights have been violated (Janoski 1998). Bonilla-Silva notes, “If minority groups face group-based discrimination and whites have group-based advantages, demanding individual treatment for all can only benefit the advantaged group (Bonilla-Silva 2018:63).” Thus, there is academic rationale for affirmative action. However, as it is currently implemented, affirmative action is far from perfect.

As an immunity, affirmative action is an exception to universality, and thus must be handled with care (Janoski 1998). Concerns about fairness run rampant in public opinion for affirmative action (Stoker 1998). For Janoski, strict guidelines to determine eligibility, including proof of membership in a group that endured unfair treatment from

government policy must be established (Janoski 1998). Much like how veterans' preference works, employment preference and education benefits should be time-limited; affirmative action was initially flawed in this regard (and in a general lack of detail) because immunities are not intended to be permanent (Janoski 1998; Dobbin 2009). Veterans' preference is also a slightly different example in that veterans earned their preferential "right" by fulfilling the "obligation" to serve, and not as compensation for past injustice; these preferences have also not generated any substantial controversy in recent history (Janoski 1998; Katznelson 2006; Skrentny 1996). Affirmative action for African Americans and women on the other hand never passed the tests of verification, delimitation, and formality (Janoski 1998). So in a theory of citizenship rights and obligations, affirmative action for African Americans as an example would need to be verified (e.g., applied to African Americans who were discriminated against under Jim Crow in the South), delimited (and not extended indefinitely as it is currently constituted) and formalized by law (Janoski 1998). Some argue, however, that compensation for past wrongs is dangerous because it depends on who determines when past wrongs should be compensated (Glazer 1987). This is a weak argument, however; supporting inaction is a determination that past wrongs need not be compensated, rather than extending any sort of effort at compensation.

The idea of verification fits somewhat with the recommendation that all remedies match what was done "when affirmative action was white" (Katznelson 2006). In this scenario, affirmative action could involve housing loans for housing in up-and-coming neighborhoods (to combat redlining) and could then be part of a measure of residential integration, as well as job placement, university admissions, increased social security (to

make up for lost time when domestic and agricultural workers were ineligible, etc.) (Katznelson 2006). Indeed, in a rights and obligations framework, a case for reparations could be made as well, as much of the wealth that differentiates the white middle class from the black middle class was accrued due to racist government policy (Conley 1999; Feagin & Vera 1995; Feagin 2010; Janoski 1998; Katznelson 2006; Oliver & Shapiro 2006). The level of benefits would have to correspond to the level of harm done by the policies, and would likely be a tremendous bureaucratic undertaking (Weber 1946), but some have attempted to calculate this (Conley 1999; Darity 2008; Oliver & Shapiro 2006).

Some academics would likely take issue with this use of the rights and obligations framework, as it negates or downplays the impact of contemporary discrimination (Bonilla-Silva 2018). In addition, in light of the way the modern racism operates in America as a more covert and difficult to detect form of perpetuating racial inequality, minorities would be hard-pressed to give evidence of the value of their deserved compensation stemming from modern racism (Bonilla-Silva 2018). Also, while Janoski notes that African Americans who were discriminated against in the Jim Crow South would be eligible for benefits under a properly administered “rights and obligations” affirmative action, black immigrants from the West Indies would not; again, this places emphasis on historical discrimination and ignores the possible discrimination faced by immigrants today in the job market (Bonilla-Silva 2018; Janoski 1998). So while a citizenship theory on rights and obligations would likely generate a form of affirmative action more effective at remedying the ramifications from past injustice than the current affirmative action practices, perhaps another affirmative action policy (constructed in the

same way, with verification, delimitation, and formality) would need to be implemented to deal with the new racism and the new challenges it poses (Bonilla-Silva 2018; Janoski 1998). A great deal of research would need to be done to address the separate policy and dealing with how the new racism works, but I suggest it would need to address wrongs committed through the prison industrial complex, mass incarceration, and the war on drugs, which some argue function as a “New Jim Crow” (Alexander 2012; Bonilla-Silva 2018; Pager 2007). This only constitutes one element in what would likely be a multifaceted policy or a number of different policies. Again, this would be a massive undertaking, but would be consistent with values that the U.S. tends to pride itself on, including justice and equality.

BENEFITS OF INTEGRATION

From the perspective of African Americans, pursuing integrated workplaces is advantageous in a number of ways. Many middle-classed occupations have historically been predominantly white and have excluded African Americans either explicitly or as a function of social networks (Fernandez & Fernandez-Mateo 2006; Royster & Steinberg 2003). Thus, integrating workplaces provides African Americans with mobility opportunities. Being prohibited from certain jobs is against some of America’s founding principles of equality contrary to a country that labels itself the “land of opportunity”.

Rosabeth Moss Kanter noted that proportions and numerical distributions of types of people have a tremendously significant impact on their social experiences in the workplace (Kanter 1977). While some research points to a stronger opposition for race-based policy among white survey respondents in areas with larger local black populations (Taylor 1998), this could be due in part to the high level of segregation likely in that local

population (Massey & Denton 1993). In a workplace setting, the possibility of team intensification suggests positive social experiences for minority group members (Lepadatu & Janoski 2011). Kanter develops a theory of numbers and tokenism and identifies intense pressure on tokens to perform well as representatives of their group, but not so well that the performance makes the dominant group look bad (Kanter 1977). That theory has since been further developed by others, who specify that tokenism is contingent on the local context in which it is embedded, primarily concerning the hierarchy of cultural resources and image of the ideal worker (Turco 2010). Kanter believes these problems can be addressed with hiring quotas for proof of equality of outcome rather than simply equality of opportunity (Kanter 1977).

White Americans on all sides of the political spectrum are largely opposed to affirmative action (Bonilla-Silva 2001; Sniderman & Carmines 1997). A part of this could be due to the fact that many whites see race matters in terms of a zero-sum game, where if another group gets any systematic advantage it comes at the expense of whites (Feagin & Vera 1995). This conception is damaging; Feagin and Vera argue for reframing race issues as issues of societal waste (Feagin & Vera 1995). For example, in the case of affirmative action in college admissions, minority students whose life chances have been negatively impacted by their race in a number of ways would be afforded an opportunity to attend a college and their intellectual resources or the untapped resources could be discovered and cultivated to make a better society. Not giving these students a chance is a waste of their potential and harms society; this same argument can be made for employment purposes. Racism allows for socially sanctioned dissipation of productive human energy and talent (Feagin & Vera 1995). All of society benefits if

black children with an aptitude toward medicine are able to realize their talents and potential and become nurses or medical doctors. The same can be said of any other profession, all of society benefits from the removal of racism.

Bonilla-Silva takes issues with the claim of racism as societal waste, in that it portrays racism as somehow irrational (Bonilla-Silva 2001). He argues that the moral and psychological costs of racism to whites and the moral dilemma that racism causes does not actually exist, because whites use sincere fictions to ignore the inhumanity of racism and racial stratification (Bonilla-Silva 2001). Although he contests a portion of their argument, Bonilla-Silva agrees with Feagin and Vera, expressing “they are right in claiming that societies would be collectively better off (less wasteful) if the energy they spent to maintain racial hierarchy was used to increase the welfare of humanity (Bonilla-Silva 2001:32).”

Both European Americans and African Americans would benefit from less societal waste, but they would also benefit from interracial contact. Using Allport (and Dovidio et al.) to look at the impact of interracial interaction on levels of prejudice, and noting the impact of team intensification that Lepadatu and Janoski identify, integration in workplaces could be promising for reducing prejudice (Allport 1954; Dovidio, Eller & Hewstone 2011; Lepadatu & Janoski 2011). Some of the issues faced by the first minorities entering a workplace, or by workplaces where there are only a few women or people of color, would be reduced if there were simply numerically more minorities or people of color there (Kanter 1977). While the process of prejudice reduction might not be ideal for those minorities involved, with a critical mass of others and a strong network within the firm, it may alleviate some of the initial social-psychological harms.

Ultimately, prejudice reduction does not reduce structural racial inequality; but could it help? It seems reasonable to posit that if different groups interacted more, people would become more understanding of members of other groups and perhaps more likely to develop a better understanding of structural and institutional racism; with this understanding, it would be more challenging for people to oppose policies like affirmative action on the basis of “fairness” (Stoker 1998). When the employment or admissions processes are seen as inherently unfair without affirmative action, and when they are shown to systemically favor white Americans, this could conceivably impact views on race-based policy and civil rights, and may lead to the broad-based multiracial coalition necessary to help ameliorate racism (Sniderman & Carmines 1999).

THE SOCIAL PSYCHOLOGY OF BEING A TOKEN

The experiences of African Americans in historically white colleges and universities, and subsequently in middle-class integrated workplaces are often challenging, and their movement into the middle class in some cases exposes them to more discrimination than previously (Cose 1993; Feagin, Vera & Imani 1996; Feagin & Sikes 1994). This discrimination can come in many forms, from lack-of-promotion or compensation to unpleasant working conditions, discrimination from customers, or outright exclusion; the enduring, cumulative psychological impact of this discrimination can be catastrophic (Feagin & Sikes 1994). African Americans have entered middle-class occupations and more prestigious educational institutions in the last 20-30 years, but once in the workplace they are often “tracked” and lose out on promotions and opportunities for advancement when compared with white colleagues (Collins 1997; Cose 1993). They are frequently put in minority affairs or EEO jobs that disappear with

budget cuts, or are given poorer job evaluations based on subjective criteria; criticized for things they could not conceivably improve upon (Collins 1997; Cose 1993). In being placed in racialized positions, African American workers often lose power in organizations and are in fragile, politically mediated positions (Collins 1997). Change in national policy, they fear, would likely result in them losing their jobs (Collins 1997). Indeed, other research suggests that racial desegregation is an ongoing and politically mediated process, and would not be likely to occur on its own (Stainback, Robinson & Tomaskovic-Devey 2005; Lipsitz 2006). While these jobs can be dead-end jobs in some way, “golden handcuffs” in the form of raises and lucrative benefit packages are sometimes used in attempts to keep minority employees satisfied in jobs that are not tied to the strategic vision of a company and its management in any way (Collins 1997). Black middle-class employees sometimes feel that they do not fit the expectation of what a CEO looks like, which is frustrating, and the consequences of being behind their peers in career progression can be both personally and financially devastating (Cose 1993). Beneficiaries of affirmative action are in a particularly tough spot, where anger and resentment are directed at them and neither asking for more preferential treatment nor the elimination of affirmative action is an attractive option (Cose 1993; Fraser 1997; Sniderman & Carmines 1999).

Rosabeth Moss Kanter identifies several social-psychological processes common in minority groups in her study of Indsco in the book *Men and Women of the Corporation*. She noted three tendencies associated with tokenism: visibility, contrast, and assimilation (in this case meaning the characteristics of the token are distorted to fit

the generalization) (Kanter 1977). Under these circumstances, with increased performance pressures as group representatives, coping mechanisms must be developed.

Among these responses to the psychological stresses of being a member of a token include self-repression and dissociation from their “category” (which can produce inner tension); Kanter notes that although increased self-esteem can result from learning and adapting to a token situation, overall tokenism generates more negatives than positives (Kanter 1977).

Depressed opportunity and mobility options have additional social-psychological results outlined by Kanter. The culture of Indsco was that of “promotion or perish”, where new or increasing opportunity positively impacted aspirations, work commitment, and a sense of organizational responsibility (Kanter 1977). Conversely, a lack of opportunity meant depressed aspirations, lower commitment, and responsibility avoidance; due to the tracking common at Indsco (where individuals were placed on different tracks with different opportunities), any negative tracking of women or minorities would result in these negative social psychological consequences (Kanter 1977). Sometimes disengaged people seek social recognition instead of the professional recognition they are not receiving (Kanter 1977). Other responses include compulsive rule-following with few opinions or comments; in these instances, individuals are not passionate about their work, but come and do what they must in order to earn their pay (Kanter 1977). They are ritualistic and simply follow the rules and do only and exactly what is required of them (Kanter 1977). Many of these preceding items could be identified in Collins’ study of black corporate executives (Collins 1997). Still other responses include high-risk forms of resistance could include lawsuits or EEOC

complaint filings, whistle-blowing, or sabotage. Blocked opportunity could result in all of these.

What new or different social psychological processes could have developed since Kanter's research in the 1970s? Kanter created a detailed explanation of a number of possible outcomes, but her list was not completely exhaustive. Some scholars note that perceptions of threat often stem from a group's feelings of being racially alienated within the social order (of Indsco, for example), and vary based on the degree of that oppression and alienation (Bobo & Hutchings 1996). With opportunity blocked in an organization and no chance of promotion, an educated middle-class professional might look to find a different job or seek additional training for marketing herself for advancement in another company, where her experience will count toward promotion. For lower-skilled or lower-wage workers, there is less flexibility in this regard, since financial need severely restricts options. For the more educated workers, however, rather than engage in a legal fight, some may simply choose to seek employment elsewhere in a strong display of disengagement from the company who blocked their opportunity. Alternatively, frustration with blocked opportunity could lead to some type of organization and protest by workers. While this may be unlikely or difficult to arrange (as not everyone's opportunities are being blocked), some worker protest could be a response; and the anti-success solidarity that Kanter notes among those with blocked opportunity could serve as a basis for collective action (Kanter 1977). Additionally, along with disengagement and a decreased loyalty to the corporation that is blocking your opportunity, it is possible that some workers may not just underperform (as Kanter notes), but intentionally mess up at work, hoping to cost their company money. Theft or fraud are more likely when workers

can rationalize these actions by a perceived unjust treatment. Still, while Kanter does not explicitly mention these options, these were all possibilities at the time of her research as well.

PUBLIC OPINION AND POLICY POSITIONS

One of the ironies of affirmative action is that it is public policy that has consistently received opposition from the majority of the public (Skrentny 1996). While it was birthed in a time of crisis management (Skrentny 1996), and rationalization shifted from equality to a business case (Dobbin 2009), affirmative action has endured in the face of public opposition, even if the progress made under affirmative action has been slow (Feinberg 1984). Fairness has been shown to be of primary concern, when people oppose affirmative action and a major component of their principled opposition to the policy (Stoker 1998), however other research does not support the idea of principled opposition (Bobo 2000). Some opposition, others argue, stems primarily from what the public believes to be the proper role of government (Sniderman & Carmines 1999). In light of public opposition however, corporations and human resource professional associations frequently support the policy – my contention is that this is primarily because of the business case for affirmative action and diversity management (Dobbin 2009).

Periodically, affirmative action will go to court, with cases brought about by new challengers who are typically white and believe they have been the victims of reverse discrimination, a belief that is somewhat common among whites (Bonilla-Silva 2018; Kluegel & Smith 1982; Norton & Somers 2011). The legal doctrine of *stare decisis*, and legal precedent, has built affirmative action into tradition (Skrentny 1996). So while

public opinion on affirmative action may be less-than-favorable (particularly among whites), it has withstood a number of attacks (Bonilla-Silva 2018; Feagin & Sikes 1994). However, laws are not driven by public opinion. The support of professional associations and major corporations are likely to carry more weight than the average citizen, and corporations have an interest in diversity for working with diverse clients in the U.S. and abroad as well as having a productive and amicable workforce.

Nancy Fraser, in developing a critical theory of recognition, assumes justice requires both redistribution and recognition; she classifies affirmative action as a means of affirmative (and not transformative) redistribution (Fraser 1997). Affirmative redistribution policies are problematic because they underline the differentiation of people and mark people of color and women with a stigma that fuels resentment (Fraser 1997). This resentment, often evident in conversations about race-based policy, is likely to fuel continued opposition to race-based policy. While challenges to affirmative action continue in the courts, it seems the days on these policies may be numbered.

AFFIRMATIVE ACTION AND SOCIAL MOBILITY

In his book, *The Truly Disadvantaged*, William Julius Wilson makes a pointed critique of affirmative action, noting that it fails to help those in the black underclass (1987). In *Complex Inequality*, Leslie McCall also notes a need for policy solutions that address racial, gender, and class inequality together in an intersectional way and not as isolated, independent occurrences (Hill Collins 2000; McCall 2001). Still, while affirmative action has provided minimal gains for African Americans in lower socioeconomic positions, it has opened doors of opportunity for and helped create a black middle class, which Collins refers to as a “politically mediated class” due to their tenuous

position (Collins 1997). While their position may be less stable than the white middle class, affirmative action is not the only reason for this; a pillar of wealth supports the white middle class and differentiates them from the black middle class as well, which is only supported by income (Oliver & Shapiro 2006). In the same way the government policy created a white middle class, affirmative action helped create and stabilize a black middle class; however the benefits are not nearly comparable (Katznelson 2006).

Affirmative action is, however, also harmful for African Americans. Not only does it generate resentment and can make those who work in middle-class jobs be looked at with suspicion by co-workers or assumed to be undeserving by those who are too prejudiced to understand the purpose of the policy (Feagin & Sikes 1994; Fraser 1997), but blacks are often pushed into dead-end community-oriented or diversity-related jobs even when those positions have nothing to do with their area of expertise (Collins 1997). Additionally, the experience of minorities in workplaces that are low in diversity can be incredibly discriminatory and offensive (Feagin & Sikes 1994; Kanter 1977). The ramifications of enduring small racial aggressions repeatedly for a number of years on members of the black middle class can be devastating in countless ways (Feagin & Sikes 1994; Sue 2010).

As affirmative action has shifted to diversity management and been rationalized by businesspeople as economically advantageous, a number of manifestations of affirmative action policy have arisen to address some of the concerns above and help create productive and collegial workplaces. The best test of an effective diversity program is how many women and minorities are in management positions (Dobbin, Kalev & Kelly 2007). This is the best test because an organization could be diverse, but

this diversity could be stratified; an organization that has a large amount of women and minorities who comprise the lowest levels of the organization only is not truly diverse. Diversity should be throughout all levels of an organization. By this test of management diversity, the best types of diversity programs include diversity councils or diversity managers and mentoring programs; on the other hand, diversity training sessions, diversity performance evaluations, and affinity groups for minorities or women are less effective by the metric of management diversity (Dobbin, Kalev & Kelly 2007). In fact, one study revealed that diversity training often generated resentment, particularly if employees expected that they were being sent to diversity training because of another employee's complaint (Sanchez & Medkik 2004). Regarding the effective diversity programs, the most effective techniques involved assigning diversity responsibility to someone, a diversity manager, for example (Dobbin, Kalev & Kelly 2007). Even more effective, however, was assigning diversity responsibility to a task force on diversity composed of people from various parts of the organization (Dobbin & Kalev 2007; Dobbin, Kalev & Kelly 2007).

As noted, diversity training sessions, performance evaluations, and affinity groups have the least impact on diversity in management, however these are highly utilized diversity programs (Dobbin, Kalev & Kelly 2007). Unfortunately, it seems corporate America is wasting efforts by excessively implementing diversity programs that are the least effective.

Rosabeth Moss Kanter made her own recommendations for Indsco to conclude her book (Kanter 1977). Kanter noted that job ladders needed to be reviewed and reworked, such that clerical workers would not be stuck on a dead-end job ladder, for

example (Kanter 1977). She suggested building bridges between job ladders and utilizing the job descriptions of different positions to identify skills and competencies that could be transferrable to other jobs (Kanter 1977). She has several other suggestions that include performance appraisals, job postings, redesigning jobs or development of new jobs, job rotation, project management, job enrichment, decentralization, and flexible working hours all to help create more opportunity at Indsco (Kanter 1977). To empower workers to become effective leaders, she suggests a flattening of the hierarchy, decentralization and more autonomous work units, and sponsorship/mentorship and training for managers (Kanter 1977).

Specifically addressing the diversity concerns, Kanter suggests batch hiring of women and minorities for top positions, and clustering them rather than spreading them out (to help encourage solidarity) (Kanter 1977). Additionally, she advocates providing role models, minority networks, diversity training and education about tokenism (teaching how the structure causes problems), and support programs for tokens (Kanter 1977).

Kanter's suggestions were mostly addressed by Dobbin, Kalev and Kelly (2007), who would stress her suggestions of mentorship and likely add the suggestion of a diversity task force (Kanter 1977). On the other hand, on the hiring side Kanter's suggestion of batch hiring of minorities for top positions is novel. It seems clear that for more diverse management, hiring diverse managers would be an effective route to achieve this goal. Based on the research of Dobbin, Kalev and Kelly, however, it does not seem that this is a commonly practiced diversity initiative; or at least, it is not spelled out explicitly very often.

AFFIRMATIVE ACTION ALTERNATIVES

While affirmative action has generated its share of controversy, suggestions for alternatives have been plentiful. Sniderman and Carmines suggest a predicament for liberalism in the U.S. (Sniderman & Carmines 1999). Liberals need to play a crucial role in reawakening support for racial equality, however (white) liberals tend to oppose race-conscious policies like affirmative action (Sniderman & Carmines 1999). “Liberalism’s predicament does not arise from its failure to make its case for the necessity of a race-conscious agenda to the public as a whole. Its real predicament is rooted in its failure to persuade itself (Sniderman & Carmines 1999:143).”

These scholars contend that opposition to affirmative action is based on principle, and that a critical examination of liberalism’s critique of American culture as divided (i.e. two Americas) needs to be investigated (Sniderman & Carmines 1999). While prejudiced people are still around, Sniderman & Carmines argue that most whites who answer survey questions favorably toward blacks mean what they say, however policies like busing and affirmative action generate resentment that fuels the “two Americas” critique, essentially becoming a self-fulfilling prophecy (Sniderman & Carmines). Their solution is to avoid these resentment-generating race-based policies and build a multiracial coalition to advance colorblind policies, policies that reach beyond race (Sniderman & Carmines). So while conservatives are somewhat hopeless in a quest for racial equality, white liberals tend to oppose race-based policy; for practical purposes, colorblind policy will ultimately help people of color as well as whites, and thus receive more support (Sniderman & Carmines).

William Julius Wilson advances a somewhat similar argument, however he does not rule out race-based policies, but rather leaves the possibility of their incorporation through a “hidden agenda” (Wilson 1987). For universal programs, he points to the family and child allowances common in some western European countries which provide a per-child benefit regardless of income; this set up helps remove the stigma from the program, and is part of his reason for advocating truly universalist policies (Wilson 1987). However, Wilson makes it clear that there is still a need for race-based policies, stating, “As long as a racial division of labor exists and racial minorities are disproportionately concentrated in low-paying positions, antidiscrimination and affirmative action programs will be needed even though they tend to benefit the more advantaged minority members (Wilson 1987:154).” He points to a need for manpower and educational training for these groups as well (Wilson 1987). All this, Wilson argues, should be included in a comprehensive economic program, where targeted programs are secondary to universal programs (Wilson 1987).

Wilson’s writing has generated its share of controversy, and as he has published new editions of many of his classic texts, he has also clarified and sometimes modified his positions. In his 2012 article in the Du Bois Review, Wilson elucidates his position on affirmative action and addresses the new class-based alternatives that are often proposed. Wilson claims that two factors undergird the massive public opposition to race-based policy, a racial factor and the “heavy reliance on individualistic explanations of social behavior and social outcomes in this country (Wilson 2012:7).” Class-based affirmative action deals with the racial factor, he notes (Wilson 2012). While people argue that class-based policies disproportionately benefit people of color (who are disproportionately

poor), Wilson disagrees, arguing that by considering the traditional aptitude tests (and similar measures) where black students often score poorly, class-based policies would systemically reduce opportunities for African Americans (Wilson 2012). Wilson argues that the problem is that these measures where blacks perform overwhelmingly worse is due to the cumulative effects of “having one’s life chances limited by race (Wilson 2012:8).” Residential segregation, inferior schools, and the persistence of these common experiences across multiple generations (such that parents of young African Americans also had their life chances restricted in a similar way) contribute to these cumulative effects. Black people of all social classes, Wilson argues, would be negatively impacted by class-based affirmative action, but the poor would be harmed the most (Wilson 2012).

Wilson instead advocates for what he terms “affirmative opportunity” programs involving “flexible and merit-based criteria (Wilson 2012:9).” He provides evidence that the public would generally be more supportive of targeted programs, but are leery of the idea of hard quotas (which are not legal under affirmative action) and unqualified individuals being hired or accepted for college admissions (Wilson 2012). Wilson recommends race be considered among a constellation of factors, standardized tests be given less weight, and that criteria become more flexible (Wilson 2012). This is similar to the University of Michigan Law School’s system, discussed later. The idea of flexibility can raise legitimate concerns which Wilson does not address in his brief article. Flexibility opens the door for more discretion for the hiring or admissions processes, increasing opportunities for the negative impacts of pervasive implicit bias favoring whites and working against African Americans and other people of color (Nosek, Banaji & Greenwald 2002). One result of affirmative action early-on was more standardization

of hiring processes for many organizations, formalized job descriptions, and other measures to remove discretion and make hiring processes “objective” (Dobbin 2009). As Wilson’s critique of the “objective” criteria is strong, it becomes important that admissions and hiring decisions are made by a diverse committee, or a committee that will not fall into the trap of individualistic explanations for social behavior that he identified (Wilson 2012).

Thomas Janoski argues that affirmative action is problematic in that it is an immunity that is not properly delimited as far as time limits and populations of eligibility are concerned. His solution involves a system that clarifies who is eligible (e.g. black Americans from the Jim Crow South), how long the benefits will persist, and that benefits are verifiable to match the disadvantage caused by racist government policy (Janoski 1998). Similarly, Ira Katznelson advocates for specific, identifiable, and broadly institutional affirmative action policies that allow for historical evidence to become proof of the need for governmental intervention; indeed, he suggests the same benefits that were conferred to whites through New Deal and other government policies that were administrated in ways that excluded blacks should now be provided to those populations through affirmative action (Katznelson 2006).

Nancy Fraser takes a different position. In looking at justice as involving both recognition (as remedy for cultural or symbolic injustice) and redistribution (as a remedy for socioeconomic injustice) (Fraser 1997). For racial injustice, this is problematic, because economic justice would require the abolition of race, but recognition would reify racial categories (Fraser 1997). Fraser criticizes affirmative remedies for economic injustice because they do not disturb the underlying inequality-generating framework,

and she sees affirmative action functioning in this way (Fraser 1997). For recognition, affirmative remedies tend to promote group differentiation and recognition, which necessarily works against the colorblind ideal which would presumably eliminate racial inequality (Fraser 1997).

Ultimately, Fraser criticizes affirmative action for the redistribution side because it fails to change the nature of jobs or places and does not deal with the labor market structure or the deep level at which the political economy is racialized and generates disadvantage, while affirmative recognition underlines differentiation and results in stigma for disadvantaged groups, fueling resentment (Fraser 1997). Her solution is transformative redistribution through antiracist socialism or antiracist social democracy and transformative recognition through the form of an antiracist deconstruction aimed at destabilizing binary racial categories and dichotomies and dismantling Eurocentrism (Fraser 1997). Fraser's "transformative" solutions are obviously more revolutionary than those of Wilson and Sniderman & Carmines, who prefer to work within the current system; Fraser would likely argue that these solutions are all destined to fail, as they do not appropriately impact the structures generating inequality.

Nathan Glazer discusses affirmative action by referring to it as affirmative discrimination (Glazer 1987). In his book, he details arguments against affirmative action, taking issue with the results of the disparate impact ruling in *Griggs vs. Duke Power*, which put the onus on employers for proving they had not been discriminating if disparate impact was discovered (Glazer 1987). Glazer is strongly opposed to proportional representation or the idea that a company's workforce should have a similar racial composition to its surrounding area, preferring an individual case approach to help

prevent underqualified individuals from getting jobs (Glazer 1987). Additionally, he agrees in part with Wilson, noting that proportional representation fails to reach the most severe problems in the African American community, benefitting mostly the most qualified (Glazer 1987). Overall, Glazer believes the best policy is to “overcome by simply attacking discrimination (Glazer 1987:197).” He believes compensation for the past is dangerous because it is difficult to determine when past wrongs have appropriately been compensated, race-based policies are problematic because racial groups are not clearly defined or bounded and these policies reify categories rather than assisting in integration (Glazer 1987). Ultimately, Glazer’s preference is for colorblind policies; he ends the book with this call to action: “It is now our task to work with the intellectual, judicial, and political institutions of the country to reestablish the simple and clear understanding that rights attach to the individual, not the group, and that public policy must be exercised without distinction of race, color, or national origin (Glazer 1987:221).”

Author and conservative political commentator Dinesh D’Souza is highly critical of affirmative action, arguing that proportional representation conflicts with merit and results in reverse discrimination (D’Souza 1995). Meanwhile, Cornel West is critical of conservatives of color (especially black conservatives), who he says tend to overlook the history of affirmative action policies and how they were political responses to the refusal of many white Americans to judge African Americans on their skills and not on their skin color (West 2001). D’Souza argues that a merit gap exists that underlies most measurable racial inequalities, and argues that preferences exacerbate stereotypical images of minority group members in the minds of whites who oppose them, and hurts

worker morale (D'Souza 1995). Arguing further against proportional representation, D'Souza contends that it would not occur absent of discrimination and fails the test of social justice, perpetuating the racialization of society (D'Souza 1995). His solution is colorblind, nonracial, nondiscrimination, blanket policy that would be difficult to enforce, but would call for a race neutrality (D'Souza 1995). He believes the Civil Rights Act of 1964 should be repealed and changed so that nondiscrimination policies apply only to the government, arguing that economic actors will behave rationally and hire the best available candidates always – so discrimination would only occur when it is economically rational (D'Souza 1995). What he is suggesting is that the government needs to be monitored for race neutrality, but private industries will behave in economically rational ways regardless of race.

In practice, the State of Texas is one state that has adapted and developed an alternative to race-based admissions in universities. While people argue for colorblind policies instead of affirmative action (which some argue is a form of colorblind racism), the Texas Top 10 law provides a case illustrating the effectiveness of class-based affirmative action (Bonilla-Silva 2018). In the wake of legislation severely restricting the consideration of race in higher education in Texas, a plan known as the Texas Top 10 was implemented, which mandated that individuals in the top ten percent of their high school class be accepted to any state university in Texas. The results of this plan were mixed:

"Since one out of ten public high schools in Texas enrolls 90–100 percent minority students, some minority students must be guaranteed acceptance to college under the Texas percent plan. However, the percent plan negatively impacts the probability of admission to the best public colleges in Texas for students outside of the top ten percent of their high school class (Dickson 2006)."

This new program, and the end of affirmative action, resulted in a reduction of Black and Hispanic students in Texas who chose to *apply* to college (Dickson 2006). This reduction in Black and Hispanic applicants under the top ten rule is only rational if minority students who were not in the top ten percent of their class would have applied to college under affirmative action and chose not to under the new rules, accurately evaluating their prospects for college acceptance as unlikely. Additionally, financial aid is still a factor, and one study showed that the Texas Top 10 plan was effective only when admissions offers were followed-up by financial aid awards (Dickson 2006).

On the whole, the Texas Top 10 program was somewhat effective; although in the first two years of the plan (1998-1999), admission rates for every minority group except Asians declined, after the second year of implementation, rates rebounded to near-1996 levels (Alon & Tienda 2007). That year, 1996, was the last time race-sensitive criteria was used (Alon & Tienda 2007). In this way it was a success; class rank, rather than standardized test scores, could be used in college admissions and, some scholars argue, using class rank can achieve results comparable to affirmative action (Alon & Tienda 2007). Still, Texas is a unique state with a large and residentially segregated minority population, therefore extrapolating its results is dangerous and the particularities of the Texas case must be considered (Alon & Tienda 2007).

CONCLUSION

Affirmative action has been controversial from the beginning. It is often poorly understood, has been vaguely defined, but has remained durable in spite of the controversy. The history of affirmative action is one of legal battles, institutions working to avoid sanctions and punishments for violations of an unclear mandate, and in some

cases, a pursuit of compensatory or redistributive justice. This complex history continues today, and as affirmative action remains a sensitive political issue and the politics and logics around race continue to evolve and transform with the times, understanding how racial diversity is pursued and how effective those pursuits are at HWCUs remains an important and complex task.

CHAPTER THREE: A COMPARATIVE HISTORICAL OVERVIEW OF GOVERNMENT CONTEXT AND AFFIRMATIVE ACTION

There are three primary research sites in this study, and an understanding of the local context of each site is necessary as context impacts, influences, or is influenced by the range of possible affirmative action and diversity programs, the public perception of those programs, and the overall support for the programs. Additionally, the histories of each locale impact the contemporary race-relations, and the overall perspective (e.g. multicultural pluralism vs. assimilation) is also key in understanding the range of possible diversity programs as well as their goals and outcomes (as noted in H₁). As a result, a general comparison of the U.S.A. vs. Canadian contexts follows, as well as more specific overviews of the metropolitan areas in which each university are located.

RACE AND RACE POLITICS IN THE U.S.A. AND CANADA

The history of race relations in the U.S. is fairly well-documented among scholars of race and ethnicity, who often tend to be U.S.-focused. Prominent authors like Howard Zinn, Joe R. Feagin, David Roediger, and others have chronicled the way in which race in general and whiteness specifically have provided systemic advantage for whites over nonwhites in the U.S. (Feagin 2010; Roediger 2006; Zinn 2005). Predating the history of affirmative action outlined in Chapter Two, white settlers came to the U.S. and the country was built on the attempted gentrification of the indigenous people and the subsequent chattel slavery of Africans (Feagin 2014). Whiteness was used as a criterion for U.S. citizenship and African Americans were explicitly considered three-fifths of a person (Haney-Lopez 1996). Interestingly, even in those days the logics of colorblind racism and abstract liberalism were apparent in the debate over the Dred Scott decision

that eventually resulted in the three-fifths compromise (Henricks 2018). Nonetheless, White settlers constructed a society in which whiteness was valued and ultimately, assimilation to white American cultural norms was the best bet for social mobility for people in the U.S.

That history continued, where even when whiteness was not explicitly advantageous in the law, policies that privileged whiteness advanced using political logics and “dog-whistle politics” that appeared to be colorblind on the surface but generated racially-disparate results. The infamous “Southern Strategy” is a prime example of this, and a taped conversation in 1981 with Republican political strategist Lee Atwater reveals how this strategy operated in the more recent history:

You start out in 1954 by saying, “Nigger, nigger, nigger.” By 1968 you can’t say “nigger”—that hurts you, backfires. So you say stuff like ... forced busing, states’ rights, and all that stuff, and you’re getting so abstract. Now, you’re talking about cutting taxes, and all these things you’re talking about are totally economic things and a byproduct of them is, blacks get hurt worse than whites ... “We want to cut this,” is much more abstract than even the busing thing ... and a hell of a lot more abstract than “Nigger, nigger.”

This political strategy connects well with the ideas undergirding colorblind racism, and proves the point that not only does colorblindness serve to perpetuate and reproduce racial inequality, but it can be leveraged to do so intentionally. In terms of pursuing racial diversity in higher education, this connects well to H₂, which suggests specificity of diversity initiatives are fundamental to their successes. Indeed, diversity initiatives that lack specificity could likely be ineffective, but could also easily be used to intentionally preserve the privileged position of white students as compared to black students at HWCUs.

Canada has a very different history, and generally speaking a more progressive politics than the U.S. Often lauded for its reputation as a multicultural society, Canada was a destination for some fleeing slaves via the underground railroad. Still, the black Canadian population remains relatively small, amounting to only 2.5% of the entire population according to Statistics Canada's 2006 Census. Nonetheless the Canadian reputation is, from an outsider's perspective, largely positive. From a 1971 parliamentary statement on multiculturalism in Canada to the Multiculturalism Act of 1988, the Canadian government has established an official national policy oriented toward liberal multiculturalism, using human rights as its primary rationalization (Kymlicka 2007). And while this rationalization may sound positive, a notable caveat is that,

“...attitudes toward race and ethnicity are profoundly influenced by larger geopolitical threats. The sorts of policies that are adopted are determined, at least in part, by perceptions of what will be a help or hindrance in the struggle with external enemies (Kymlicka 2007: 117).”

A concrete example of this is in the U.S., where the U.S.'s involvement in the Vietnam War was viewed as hypocritical in light of the atrocities of the Jim Crow South that were under global public scrutiny. Additionally, the race riots in the 1960s added fuel to the fire and, with concerns about the nation's global reputation, helped lead to the creation of affirmative action as a form of crisis management (Skrentny 1996). So a human rights rationalization is sometimes more complex than simply a genuine desire for equality.

To be clear, Canada's racial history is not without flaw, as its treatment of indigenous or first nations people has been deeply problematic. Since many members of this population live in remote regions rather than populated urban areas (much like the American Indian population), they are often neglected in these conversations and easily

forgotten. However, the 1999 Nunavut Act, which officially established the province of Nunavut as separate from the Northwest Territories, is a concession from the Canadian government to the indigenous population. One of the most remote and sparsely populated regions in the world, Nunavut consists of the islands north of the Hudson Bay expanding up toward the boarder of Greenland. Also, the Truth and Reconciliation Commission, established in 2008 and completed in 2015, was the result of aboriginal people in Canada bringing attention to the residential schooling system they were forced to go through and its efforts at promoting assimilation (contrary to the multiculturalist orientation many Canadians take pride in) and abuse of students. The commission served to help tell these indigenous people's stories and expose some of the historical abuses they suffered at the hands of Canadian governmental policy. The commission proposed a number of responses to these stories and the research surrounding the residential schooling system, and the Canadian Prime Minister publicly apologized for the government's role in the residential schooling system.

In the U.S., the development and logic of affirmative action is discussed extensively in Chapter Two. Briefly, a critique of affirmative action policy in itself is that because of its vague origin and the way that Dobbin (2009) documents the dialectical relationship between court rulings and human resource professionals desiring to protect their employers from lawsuits (and legitimate their positions), affirmative action has not lived up to its promise. Court rulings have weakened the specificity of affirmative action, or have increased the specificity in a way by removing options (like quotas) for certain strategies, thus narrowing the field of possibilities and potentially increasing the level of

caution diversity personnel use when coming up with a policy under increased constraints. Context matters.

In Canada, the parallel system to affirmative action is “employment equity”. Birthed from the conclusions of the Abella Commission on Equality in Employment, led by Judge Rosalie Silberman Abella. In 1986 the Canadian government passed the Employment Equity Act (Leck & Saunders 1992). Employers under the act were required to commit to implementing employment equity, including an Employment Equity Program (EEP) and periodic monitoring of progress in that program (Leck & Saunders 1992). The requirements for EEPs specifically and employment equity generally, like U.S. affirmative action regulations, were somewhat vague (Jain 1990). Due in part to vague nature of the regulation, some have argued its effectiveness is limited as there are not specific goals and timetables, systematic mechanisms for monitoring compliance, or sanctions resulting from noncompliance (Jain 1990). Canada presents an interesting dynamic in that Universities do not consider race or collect race data on students, and the racial classification system differs from the U.S., but shares some similarities in terms of the vague nature of employment equity policy and the low levels of enforcement.

So, while Canada’s general orientation towards multiculturalism and more progressive political landscape might lead one to expect a stellar racial image when compared to the U.S., the true history is much more complex and nuanced. Students at Canadian universities, overall, are less likely to support affirmative action policies, and are more likely to believe their society is not racist (Katchanovski, Nevitte & Rothman 2015). This issue is further compounded by the fact that as a social construct, understandings of race and racial classifications vary, and Canadian universities, for

example, do not track racial statistics about their students. In fact, only recently has one of Canada's top universities, the University of Toronto, begun efforts to track race-based data on its student population (Reynolds 2016). Generally, when reviewing Statistics Canada's racial and ethnic categories as compared to the U.S., Canada is more oriented toward the ethnicity of immigrants to Canada, and has the category of "visible minority" which contains what many citizens of the United States would consider to be all nonwhite, non-indigenous categories (i.e. black, Asian, Latino, and multiracial). In interviews, this became quite clear, as Canadian responses to questions on race were more oriented toward ethnicity and national origin.

LEXINGTON, KENTUCKY, U.S.A.

Lexington, Kentucky, known as the "Horse Capital of the World" and the "Thoroughbred City", is the second most populated city in the state of Kentucky, with a U.S. Census estimated population of almost 315,000 as of 2015. Lexington is among the most educated cities in the country, with the University of Kentucky being a major employer and attraction for businesses and residents. Horse racing, bourbon, and college basketball are just a few of the important aspects of the culture of this city. The areas north and west of the city are rolling hills with an abundance of horse farms (protected by an urban growth boundary), and many retired racehorses reside in this region.

In Kentucky, most of the racial diversity in the state comes from the major cities of Louisville (the most populated city in the state) and Lexington. As for black/white segregation by census tract, in 2000 for Lexington the index of dissimilarity was only 48.4, with prior research indicating indices over 60 as highly segregated (Massey & Denton 1993). You can see a rough picture of the segregation in the map (Figure 4)

below, which uses data from the 2014 American Communities Survey. In the map, darker shaded areas represent areas with higher concentrations of African American residents, while the lighter shades indicate areas where there are fewer black residents.

In spite of the relatively low levels of segregation in Lexington, racial animosity in the city has been high. The University of Kentucky men's basketball team, for example, has the legacy of Adolph Rupp, the esteemed coach who Rupp Arena is named after, who also at one point "vowed that a black would never play at Kentucky (Chudacoff 2015: 35)." Those who blindly celebrate the legacy of Rupp, quick to overlook his transgressions in favor of adoring his coaching prowess, contribute to this racial animosity and the ill feelings toward UK from many African Americans in Kentucky. The institutional legacy matters, and in this context, UK is not a draw for many black students, and this legacy actually may keep them away. The University of Louisville, for many, is a more attractive alternative.

In addition to UK's history, Lexington itself has a significant history; as a border state in the Civil War, there were those within the state who sided generally with the south as well, such that a confederate shadow government was set up during the war, although not with much impact (Kleber 1992). There are several civil war landmarks in the state, as well as monuments and areas within Lexington that are historic for their role in the slave trade. The Cheapside Pavillion in downtown Lexington was an area where many families were torn apart as slaves were auctioned off as property for the highest bidder. This legacy of slavery and its role in the civil war many believe are detrimental to increasing the black population in the state. In late 2017, after the white nationalist rally and subsequent violence in Charlottesville, Virginia, which partially stemmed from

the decision to remove some prominent confederate statues, Lexington made national news when the mayor announced the removal of confederate monuments in Lexington and their relocation from Cheapside and other downtown locations to the Lexington Cemetery.

A significant race-related event happened in 1994 in Lexington's East End neighborhood when 18-year-old Tony Sullivan was shot and killed by a white police officer (Ford 2014). Sullivan was unarmed and the police officer was not indicted or criminally charged. Protests and uprisings followed and this, like many other issues, is still a sensitive topic for many in Lexington's black community.

The city of Lexington and the University of Kentucky remain in a politically conservative environment. While Lexington and Louisville are more progressive areas, the state is a "red" state relatively consistently in federal elections after 1956 (with exceptions being Southern democrats Lyndon B. Johnson, Jimmy Carter, and Bill Clinton) and going red during the entire period 2000-2012 for all presidential elections. Importantly, the government's role in influencing the university can be powerful as government appointed trustees exercise authority as a group over the university presidents. Kentucky alternated between Democratic, Republican, and Democratic governors during the time period of this study. A further important point relates to donations and the political views of donors, which are often a reflection of the political views of the elites in the state. In Kentucky, a red state, it is likely that many major donors are politically conservative. It is within that climate that the University of Kentucky operates, and that context drives the possible options for the pursuit of diversity.

ANN ARBOR, MICHIGAN, U.S.A.

Ann Arbor, Michigan is the sixth largest city in, Michigan; The U.S. Census population estimates a population of about 117,000 as of 2015. Located a forty-five-minute drive from Detroit, in 1836 Ann Arbor lost a bid to become Michigan's capital, but the following year won a bid to become home of the University of Michigan. The city is most well-known as the home of the main campus of the University of Michigan, widely regarded as one of the top public universities in the world; a highly-selective and elite university with a large, multi-billion dollar endowment. The town context, as a result, is shaped largely by the university, which employs over 30,000 people. The University of Michigan also has campuses in Flint and Dearborn, but they function relatively autonomously, having separate admissions criteria, etc. Politically, Ann Arbor is a consistently "blue" city, and historically has been a hub for progressive politics, from the Students for a Democratic Society in the 1960s to anti-war protests during the Vietnam war. Ann Arbor is an independent Metropolitan Statistical Area from Detroit, Michigan, but is included with Flint and Detroit in the larger Combined Statistical Area. In the state of Michigan, a large proportion of the African American population comes from the Detroit area.

Aside from its strong academic reputation, The University of Michigan has been a central figure in the debate surrounding affirmative action at the turn of the 21st century, and court cases that the University has been involved in have in many ways preserved affirmative action and the ability to consider race as one of many factors in college admissions and employment decisions. The University's website, a "Chronology of Key Rulings in the University of Michigan Affirmative Action Lawsuits and Other Higher

Education Lawsuits” revised August 26, 2003, makes note of the following significant 2003 Supreme Court cases: *Jennifer Gratz and Patrick Hamacher v. Lee Bollinger, James J. Duderstadt, the University of Michigan, and the College of Literature, Arts and Sciences* or *Gratz v. Bollinger*, and *Barbara Grutter v. Bollinger, Lehman, Shields, Regents of the University of Michigan and University of Michigan Law School*, or *Grutter v. Bollinger*. In the *Gratz* case, the point system that the university was using for admissions, which included giving an additional 20 points (of a possible 150 to gain admission) to underrepresented minorities, was challenged. Although there were many other ways to earn points, including athletic ability, leadership and service, and personal achievement, the court ruled that the admissions system was not narrowly tailored enough to meet the standard of strict scrutiny that was required. Affirmative action was not done away with, however, and in the *Grutter* case, the Supreme Court upheld the decision to allow consideration of race in admissions.

After these hard-fought court battles, a new challenge to affirmative action came to Michigan from a group led by Jennifer Gratz (of *Gratz v. Bollinger*) and others, including Ward Connerly, founder and chairman of the deceptively-named American Civil Rights Institute, a nonprofit with the purpose to “educate the public on the harms of racial and gender preferences”. Connerly had previously been a part of successful campaigns to end affirmative action in California (Proposition 209, which passed with 54.6% of the vote) and Washington state (Initiative 200, which passed with 58.2% of the vote). The challenge in Michigan came in the form of a ballot proposal called the Michigan Civil Rights Initiative (MCRI), worded in such a way that a “yes” vote on the MCRI meant a vote against consideration of race in college admissions and employment.

In the November 2006 election, this proposal passed by a large margin (58% to 42%), so the University of Michigan, and all other public universities in the state, could no longer consider race when making admissions decisions.

One respondent that was interviewed was involved in getting the MCRI on the ballot, and while interviews are discussed in more detail in Chapter Five, it is useful to hear this respondent, a former faculty member, give their recollection:

A group of Michigan people including myself, I was a leader among them but I was not the only one, sought to establish a ... constitutional amendment in Michigan which would preclude the use of preference in Michigan ... But we had to get it as a constitutional amendment on to the ballot, not an easy thing to do ... We have a referendum system here in Michigan, but you need an enormous number of signatures to get ... a proposition on. All that we wanted on the ballot was a statement ... that people would not be given preference by race. What we thought was already in the constitution, if you read the equal protection clause, I mean, there's no exception for inclusion, you know, but, so ... we didn't think that we were asking for anything more than we had supposed was there all the time, but, ok. Preclusion had not been ... provided for because of the Grutter case, so, the Grutter case does not oblige people to consider race, it simply permits institutions to consider race. And we thought that was wrong ... and so we sought a constitutional amendment, a Michigan constitutional amendment that would preclude preference by race ...

We needed 317,000 signatures. That's an awful lot of signatures. And we had ... hundreds of people on our side going around the state collecting signatures. You have to have more than that because they always take a batch of signatures and they find, some of them are invalid and then they extrapolate that figure and then they find the whole thing invalid so if you just get 317,000 that's not enough. You gotta get enough so that when they examine the list of signatures, even taking out those that are invalid or might be invalid, you still have 317. We got 508,000 signatures. Incredible, I mean it was an extraordinary thing. And we carried those boxes of petitions into the office of the Secretary of State in Lansing. I was one of the people carrying the boxes. We had it on the ballot. Our opponents, who wanted of course to continue to give preference, not maliciously, but they wanted that ... thought that if it got on the ballot ... it would win. And, and they would lose. They were right! ...

So they did everything possible to keep it off the ballot ... they heckled our signature ... collectors, you know. They'd walk behind them and heckle them in the streets ... and they tried various legal maneuvers to ... make the question that we wanted on the ballot ... inadmissible. But it all failed and it all, and it got onto

the ballot in 2006. That's already been, it's 30 years that this argument had been going on. It's not over!

It got on the ballot and we won, oh absolutely we, landslide, oh well not landslide but almost a landslide ... 58% of those voting supported the proposition that in Michigan, no preference by race would be given.

This respondent, during the course of their interview, discusses their longtime battle with the university administration at UM over the use of race in admissions decisions. Being part of an effort to collect 508,000 signatures and hand-deliver them to the state capital is illustrative of the passion and of how polarizing affirmative action policies can be. As stated in the literature review, the majority of the public has never been in favor of affirmative action, which came about as a form of crisis management (Skrentny 1996); in light of this, its passage in a 58-42 vote is relatively unsurprising. Still, when thinking about this process, it is also useful to think about what would have happened if the MCRI was not passed in Michigan. How, then, would Michigan have fared relative to UK and other state flagship institutions? This will be a conversation to revisit after reviewing some of the analysis of this study.

LONDON, ONTARIO, CANADA

Located between Detroit, Michigan and Toronto, Ontario, London, the “Forest City” is a city of over 300,000 people. In terms of race, an important designation in Canada is that of “visible minorities”; London’s population is 16% visible minorities. London was somewhat of a manufacturing hub in the past, and has since shifted more to tech industry jobs. It is the home of the University of Western Ontario (also known as Western University) and Fanshawe College. The city is also infamous as serial killer capital of Canada (Arntfield 2015), with 32 homicides from 1960-1985.

The University of Western Ontario has a long history, beginning in 1878. Now referred to as “Western”, it is one of the top-ranked universities in Canada. According to interviewees, until recently, Western had the reputation of a party school, with Western earning the distinction of the #4 top party school in North America from Playboy Magazine as recently as 2011 (CBC News 2011). With over 30,000 students, Western is a large university, somewhat comparable to the University of Kentucky and University of Michigan.

As for racial politics at Western, on-par with other Canadian universities, Western does not track race data for students. Interestingly, Western has also been a controversial school based on its stance with regards to a former professor, Dr. Jean-Phillipe Rushton, who passed away in 2012. During his lifetime, Rushton earned the distinguished recognition of being on the Southern Poverty Law Center’s “hatewatch” list on the basis of his research. Rushton regularly published in the white supremacist periodical *American Renaissance*, and was known for his theory that brain size and genital size are inversely related, which he used to draw the conclusion that white people are more intelligent than blacks. In his obituary on Western’s website, it includes the institutional account of the controversy he generated, which began with a paper he delivered in 1989 where he geneticized racial difference, essentializing racial categories in a way that legitimated the hierarchical positioning of the races which advantaged him. The obituary indicated what became clear from the debate was, “that the discussion of race from a biological perspective in which some groups were ranked lower on intellectual and moral dimensions was repugnant to many and would not be constrained nor contained in

scholarly journals or debates.” Further, in conclusion related to the controversy over the matter, the obituary notes:

Ultimately, in defiance of the barrage of criticism that Western was facing- and showcasing the university at its best- the President of the University of Western Ontario (George Pederson) came out with a strong statement in defense of the precedence of upholding the concept of academic freedom.

This provides some context for the academic environment of Western.

Table 4 below contains a summary of some of the key information about each locale.

CONCLUSION

Context matters. The national contexts of the U.S.A. versus Canada, and the countries’ respective histories, help to shape the range of possible diversity initiatives and public political and social support for programs. Further, states and provinces vary within countries, and their legal, political, cultural, and social contexts have impacts. Localities and institutions as well, as we zoom in, provide important context that can shape the possible diversity programs and, as a result, their possible outcomes. Table 5 below provides an overview of these important variables, summarizing the content of this chapter in a comparative format. This backdrop is important in addressing the questions stemming from H_1 ; we must understand the context in order to determine the extent and ways in which it impacts the range of possible diversity initiatives and, as a result, the outcomes. Context is an important part of the puzzle that this study is assembling. See Table 5 for a summary of the impact of contextual factors.

Table 4, Comparison of Communities from 2010 U.S. Census Data and 2011 Statistics

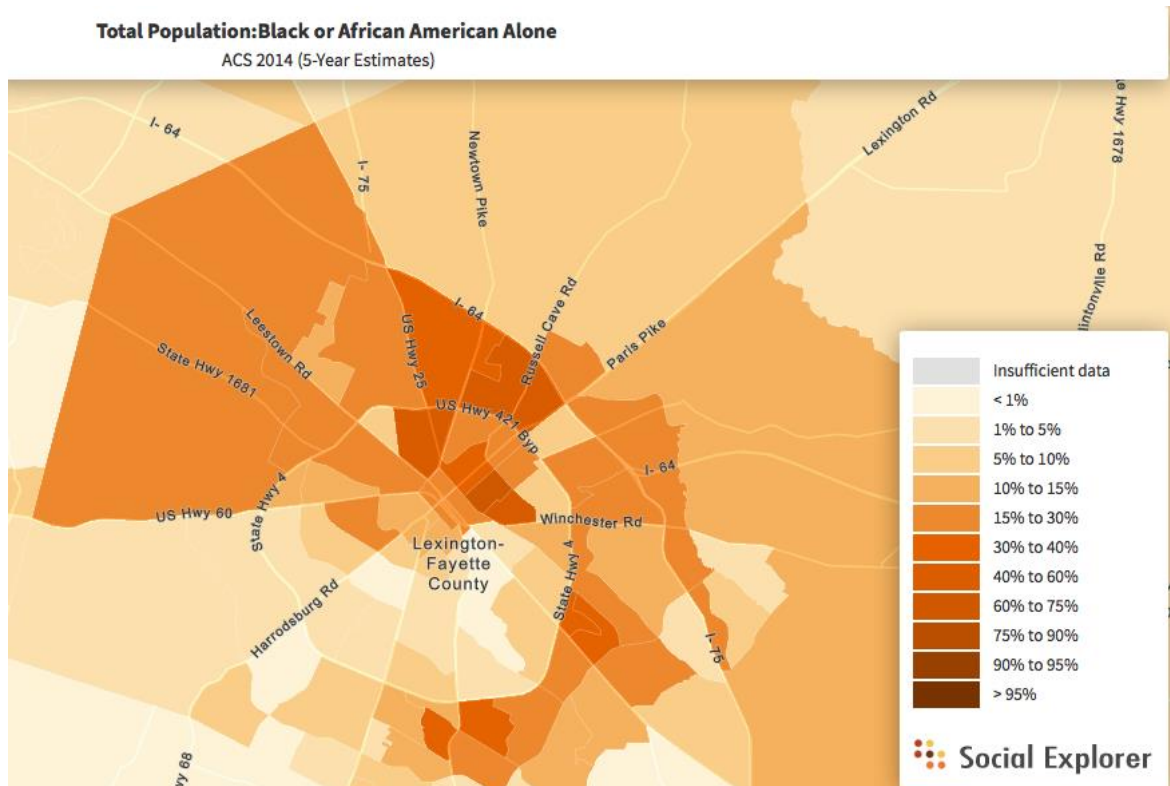
Canada Data

	Ann Arbor, Michigan, U.S.	Lexington, Kentucky, U.S.	London, Ontario, Canada
Population			
City	113,934	295,803	366,151
Race			
White	73.0%	75.7%	82.0%
Black or African American	7.7%	14.5%	2.4%
American Indian and Alaska Native or Aboriginal Canadian	0.3%	0.3%	1.9%
Asian alone	14.4%	3.2%	7.4%
Two or more races	3.6%	2.5%	0.5%
Hispanic or Latino	4.1%	6.9%	2.7%
Bachelor's degree or higher	71.9%	41.2%	19.0%
Median household income (in 2015 dollars)	\$ 55,990	\$ 49,778	\$ 55,141 USD (\$ 56,241 CDN) at 12/31/11 exchange rate

Table 5, Summary of Impact of Contextual Factors on Black Enrollments and Completions

	<u>UK</u> Obstructive	<u>UM</u> Obstructive	<u>UWO</u> Unitary
National Political Structure (H ₁)			
Supreme Court Decisions	Yes	Yes	No
Conservative National Politics	Yes	Yes	No
State/Provincial Politics (H ₁)	Liberal to Conservative	Liberal to Conservative	Liberal
Ban on Use of Race	No	Yes	No
Court Decisions	Indirect	Direct	None
Desegregation Mandate	Yes	None	None
Demographics (H ₁)			
Percent black	Moderate	Moderate	Low
Percent nonwhite	Moderate	Moderate	Moderate
Immigration	Moderate	Moderate	High

Figure 4, Map of Lexington, KY Concentrations of Black Residents



CHAPTER FOUR: THE LANGUAGE OF DIVERSITY IN ARTICULATING SPECIFIC / WORKABLE STRATEGIES

Every industry has its own jargon that people use to “talk shop” with one another. For diversity professionals, the same is true, but some have been critical of how that language has shaped policy and how meaningful that policy has been as a result of the type of language (Bell & Hartmann 2007; Berrey 2015; Embrick 2006). Often language which is less specific is less meaningful, and this can result in less-meaningful results; at its core, this is what H₃ is about. There are two primary ways I investigate this aspect of this research project. The first is through a content analysis of the language used in archived versions of the websites for the three universities being studied (UK, UM, and UWO) from the years 2000 through 2012, which often include publications and internal policies that were available for download as well. The second way will be analyzing the discourse used in the research interviews conducted for this project (in the next chapter). Additionally, the materials from these website can provide insight into the source of some of the diversity initiatives (H₃ and H₄) while also producing a clearer view of the context of these universities (H₁); as part of a holistic mixed-method study, this content analysis is fundamental.

METHODOLOGICAL NOTE

I reviewed archived websites and available internal records as they pertained to diversity. I conducted critical analysis of website iterations, strategic documents, mission statements, board minutes, etc. from the year 2000 until 2012 and observed changes in the strategy for achieving diversity. I obtained previous iterations of the university websites using The Internet Archive’s “Wayback Machine” (<https://archive.org>). This

was analyzed in conjunction with quantitative institutional and contextual data to explore the relationship between diversity strategies and levels of diversity within the organization. Additionally, this qualitative aspect of the research plan sought to uncover why organizations choose one particular strategy or another and indicate who chose the strategy as well as the impact of the political or social context.

For purposes of this study, a specific policy is more likely to name race explicitly, and often will name specific racial groups in order to be sufficiently targeted. However, during the period I am studying, a number of sociologists explored a new idea called colorblind racism (Bonilla-Silva 2018; Carr 1997). In his research, Eduardo Bonilla-Silva (2018) outlined four main frames of colorblind racism, (1) abstract liberalism, (2) naturalization, (3) cultural racism, and (4) minimization of racism. These frames, he points out, are not used independently, but often used together, and provide a way for whites to defend themselves from the accusations of being racist, or as he calls it, “how to talk nasty about blacks without sounding racist.” This logic would hold, I argue, for universities and other institutions as well, such that if their public relations departments, diversity and inclusion offices, and other similar areas use colorblind frames on their websites to describe diversity programs and initiatives, it is likely that these programs will not be very effective. Further, it is likely that these programs are not intended to be very effective, and more likely that they are the “symbolic shield[s]” designed to protect the universities (Stainback & Tomaskovic-Devey 2012).

Regarding the frames of colorblind racism, abstract liberalism is the most common (and perhaps least intuitively named) frame; it involves the use of politically liberalist ideas like equal opportunity in the abstract in explaining racial matters (Bonilla-

Silva 2018). So while many whites favor equal opportunity as an abstract principle, it fuels opposition to affirmative action as a violation of that principle when this opposition is not based on the concrete reality of racial inequality and underrepresentation of minorities in universities and employment settings (Bonilla-Silva 2018). This is likely due to misperception about the reality of opportunity that African Americans have, which many whites see as having improved (and base this upon perceptions of their own opportunities) (Kluegel 1985; Kluegel & Smith 1982). Still, the abstract liberalism frame (in conjunction with the others) is often used to talk about race and advocate for colorblindness which preserves the current racial hierarchy. Bonilla-Silva uses interview data to draw these frames out. He sees the influence of the frames in the responses of African American interviewees, however they are not utilized in the same way and the language and rhetorical devices (discussed below) that whites tend to use in conversations of race are not often used with African Americans, who tend to be more direct and straightforward (Bonilla-Silva 2018). Thus policies and programs constructed largely by white administrators at these historically white colleges and universities (HWCUs) that lack specificity or use the frames and linguistic style of colorblind racism will be less effective in increasing black student enrollment and completions. This content analysis begins with the University of Kentucky, followed by the University of Michigan, and then the University of Western Ontario.

ARCHIVED WEBSITES – UNIVERSITY OF KENTUCKY

The examination of archived websites revealed three distinct areas where diversity and equality were discussed: *The Kentucky Plan* for Equal Opportunities in Higher Education (KPEOHE), the employment compliance area (e.g. the racial

harassment brochure) and the so-called “diversity management” area (e.g. President’s Commission on Diversity [PCD] and its recommendations). A caveat here is that the diversity management area can be seen as a response to the external mandate from *The Kentucky Plan*, so while three main areas have been identified, they should not be treated as completely independent of one another.

Initial instances of race-related and/or diversity related contents on the University of Kentucky’s website from searches of the University website from 2000-2001 (last updated in 1997) primarily pertained to “racial harassment” (UK 2001a). It listed resource offices for victims of racial harassment, including deans, department chairs, human resources, the counseling center, and the staff in the Office of Minority Affairs (UK 2001a). Further, the University advised that isolated instances were unlikely to count as racial harassment, but “the record as a whole” would be considered (UK 2001b). Verbal harassment and physical harassment both could be counted as racial harassment per the policy, and the language was relatively specific and explicit in terms of defining the types of harassment, and naming race and racism. However, given this time period and the nature of the policy as a punitive rather than proactive policy it is unclear whether this had any impact on African American students’ enrollments and completions at the University and in general the language seems more oriented toward employment. Nonetheless, something can be said about the existence of more explicit racial harassment policy language. The policy includes definitions of racial harassment as, “a form of race discrimination that includes:

- Different treatment without a legitimate, nondiscriminatory reason on the basis of race, color, or national origin in the context of employment, participation in a university course, program or activity which interferes

with or limits the ability of an individual or identifiable group to participate in or benefit from privileges provided by the University.

- Creation of a hostile environment on the basis of race, color, or national origin that is sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of an individual or identifiable group to participate in or benefit from privileges provided by the University (UK 2001c).”

On that website, the University president at the time, Charles Wethington, penned a letter, explaining that, “Racial harassment as well as other forms of race discrimination may substantially interfere with the university’s educational mission,” and further identified it as a violation of federal law (UK 2001d). These specific statements provide some insight into the university’s rationale for such a policy, as a matter of legal compliance and for the purposes of the educational mission. By 2010, however, the updated version of this brochure was purely related to sexual harassment and all racial elements were absent.

In 2001, Lee Todd Jr. succeeded Charles Wethington at the University of Kentucky, and remained as president until 2011 when he was succeeded by Eli Capilouto. By 2002, much of the web content surrounding diversity related to the President’s Commission on Diversity (PCD), which was charged to advise the president on helping to maintain “Kentucky’s commitment as a champion of diversity”, regularly report to the president on matters of racial and ethnic diversity in employment, offer recommendations “to redress all forms of racial and ethnicity-related inequities” for students, faculty, and staff, and propose initiatives “to ensure racial and ethnic diversity at the University of Kentucky (UK 2002).” Comprised of 25 faculty, staff, and community members serving two-year terms, in every aspect of the PCD’s charge, race and ethnicity are explicitly highlighted except for the general call to “advise” the president. For PCD, clearly diversity involved a focus on race.

In March of 2002, the PCD presented a PowerPoint presentation, accessible online, to Dr. Todd. It included the university's mission, to begin with, which was,

The University of Kentucky is a comprehensive, public, land grant university dedicated to preparing a diverse student body for an increasingly multicultural, pluralistic, and technological world and to improving the lives of people in the commonwealth, the nation, and the world through excellence in research, teaching, and service (UK 2002).

Within the PowerPoint presentation, the PCD's recommendations ranged from relatively general to very explicit, with immediate recommendations calling for a statement to the university community regarding diversity and amendment to the administrative regulations, promoting visible diverse administrators and establishing numerical goals for their promotion, incentivizing recruitment of racially diverse faculty, and creating a more proactive affirmative action plan, among other things. Recommendations, which were followed with subsequent progress-updates to the university president, are as follows (UK 2002):

President's Commission on Diversity – Recommendations: Administrative

Implementation

- 1 Issue a policy statement indicating the University's position on diversity
- 2a Promote hiring of senior level administrators of diverse backgrounds
Establish visible goal and develop a mentoring program
- 2b Establish senior level position for community relations and outreach
- 3 Establish an award similar to the Nestor Award to promote and recognize diversity at the University
- 4 Develop a website that is historical and information to reshape the image of UK
- 5 Provide incentives for departments/colleges to recruit and retain diverse faculty
- 6 Proactive Affirmative Action plan that is employee centered, facilitates professional development and evaluates affirmative action efforts

- 7 Require all administering academic and non-academic units to show evidence through merit evaluations their efforts to improve diversity

President's Commission on Diversity – Recommendations: Academic Unit

- 8 Support for academic units to recruit, mentor and retain diverse faculty; establish a goal of 7% for African American faculty and 8% for administrators
- 9 Academic units will ensure diversity in mission statements, strategic plans and criteria for leadership selection and evaluation
- 10 Academic units will have clear goals that include targeted increases of diverse faculty and students with annual reviews
- 11 Academic units will amend exiting performance criteria to evaluate academic unit leaders especially as these relate to recruitment, mentoring and retention of diverse faculty and students
- 12 Academic units will provide support for recruitment, mentoring and retention of diverse graduate and professional students
- 13 Academic units will provide support to recruitment and mentoring of diverse undergraduates

President's Commission on Diversity – Recommendations: Staff

- 14 Staff will be provided with prejudice reduction professional development with an officer external to HR and reporting directly to the President
- 14a Work with city officials, churches and community groups to develop strategies to promote diversity
- 15 HR will develop, implement and monitor mandatory seminar programs for managers in the elimination of discrimination in the workplace
- 16 HR will review policies and procedures for the development of a more effective personnel management system with orientation regarding cultural diversity
- 17 The University will contribute to its employee health costs and the cost of a University early childhood education facility
- 18 University staff leaders will expand the number and scope of its training activities with particular attention to the basic crafts

For academic units, PCD recommended “explicitly embedding” the “values of cultural diversity” in each unit’s mission statements, strategic plans, etc., having clear percentage target goals for hiring and admission of faculty, staff, and students from “underrepresented groups”, being assessed based on these efforts, with a target of seven percent African American faculty and justification required for any unit below that number, and establishing scholarships and mentorship programs for underrepresented groups (UK 2002). The language used includes the phrases “cultural diversity”,

“underrepresented groups”, and in the case of percentage targets, African Americans. Some similar recommendations are given for staff, with additional recommendations including mandatory prejudice reduction training, connecting with the city and community groups (e.g. churches) to develop programming to improve the local climate relative to “diversity” and to help “deter discrimination in the community (UK 2002).” Timelines for all of these recommendations were from 2002 – 2003 (UK 2002).

Subsequent to this presentation, the PCD website allowed interested individuals with internet access to track progress on the PCD recommendations, goals, and the timelines for implementation. An August 22, 2003 iteration of the PCD website includes a link which lists “new faculty members of diverse ethnicity for 2003-2004” (UK 2003a). There, it lists professors by name, rank, department, and their race and gender. The racial categories in this list of 19 individuals include “African American”, “Asian American”, “Hispanic/Latin American”, and one “Indian American”, (who was a person of Indian descent and not an indigenous north American) (UK 2003a).

That same date, one could see a list of accomplishments of the PCD on the websites as well, which included some more basic items such as the establishment of the website and eighteen specific recommendations, but also included a community outreach initiative, a bust statue of Lyman T. Johnson, whose lawsuit against the university resulted in its first admissions of black graduate and professional students, and co-sponsorship of a number of diversity and cultural events and panels on campus and in the community (UK 2003b). On August 10, 2007, that list was updated to include a “Bucks for Brains” summer research initiative, a series of University and community forums to “enhance awareness, understanding, and sensitivity between and among multiple

audiences, academic and cultural events, professional development for faculty and staff, a community relations and outreach initiative, a Brown v. Board of Education proposal for a yearlong commemoration of the decision and its impact on higher education in Kentucky, a Panel on Diversity series, a Commission on Diversity Award, and collaborations with academic and student affairs to “ensure a continuing commitment to the values and enhancement of diversity (UK 2007a).”

These accomplishments were also shared in an updated PowerPoint presentation for PCD, downloaded from a February 12, 2004 iteration of the website (and also one downloaded on August 10, 2007), which included the following very broad definition of the word “diversity” on a slide as follows (UK 2004a; UK 2007b):

Diversity

Definition:

Diversus (Latin), having variety in form

- - American Heritage Dictionary, 4th ed., (2001)

Something to think about:

Unity does not exclude diversity, nay more, without diversity there can be no true and perfect unity.

- - Farrar (1882)

The presentation continued with a literature review that included, “Challenges to success for diversity issues” which included institutional culture and climate, admissions assessment criteria, financial aid, recruitment strategies, and transfer students’ unique challenges UK 2004a; UK 2007b). The literature also provided evidence on the importance of “diversity” among faculty, staff, and students, utilizing academic rationale and also the rationale of preparing students for a diverse national environment (with the changing demography in the U.S.) and global environment (UK 2004a; UK 2007b). This was followed by some data collected at UK about the differential experiences of students,

faculty, and staff by race, and then some promising initiatives from other institutions and funding agencies (UK 2004a; UK 2007b).

The Public Relations department for the university also was involved in the discussions of diversity, with a September 9, 2004 news release titled “Officials Tout 2004 Enrollment Figures (UK 2004k).” In addition to explaining the increased enrollment, average ACT scores and GPAs, the provost at the time noted in the press release, “We are very pleased that African-American freshman enrollment is up 20 percent over last year. This can be attributed to the outstanding reputation of our programs and the effective collaboration of UK’s Office of Undergraduate Admissions and UK’s Office of Multicultural and Academic Affairs (UK 2004k).” A PowerPoint presentation from that same date gave the Fall 2004 Freshman enrollment profile, where looking at “Fall 2004 freshman applicants by ethnicity” revealed 86% “non-minority” students, with 7% African-American students and 7% “other minority students (UK 2004k).”

A PowerPoint presentation presented by the Director of Institutional Research (Dr. Roger P. Sugarman) on May 11, 2004 (UK 2004b) at the Boone Faculty Club was titled “Preliminary Results of the 2004 Campus Climate Survey” and had the PCD logo emblazoned on the title slide. With regards to diversity, when the survey was planned, they relied on “prototypes of climate surveys from several institutions” and used questions to measure openness to diversity, interracial conflict/harmony on campus, perceived freedom to express ideas and opinions, sensitivity to the treatment of gays and lesbians, sexual harassment, campus safety, classroom climate, and overall satisfaction with the “UK experience” (UK 2004b). These bullet points clearly represent a broad

conceptualization of diversity, including race, sexual orientation, and gender (absent explicit considerations for transgender individuals), but also including things such as ideological diversity and comfort expressing ideas an opinion (UK 2004b). Race was, however, given some level of importance in that the presentation listed a summary of main findings by race and ethnicity, with two overarching notes that “nuances in the perceived meaning of various survey items can produce seemingly contradictory results,” and that those differences that were statistically significant between different races and ethnicities were differences that were small in magnitude (UK 2004b). Summary points were often general, such as, “students of different races vary in their comfort levels when ‘hanging out in the Student Center’ and using the library” (UK 2004b). The summary notes white students perceived less interracial conflict or tension on campus, black and white students reported interacting mostly with students of their own races, and students who were neither black nor white reported higher levels of social isolation (UK 2004b). Additionally, students of color expressed greater openness to diversity, white students believed they were freer to express their beliefs or opinions, and they were more encouraged and respected by faculty than black students reported (UK 2004b). Finally, black students and students of other races perceived more unfairness in classroom management, and white students were the most satisfied with their experiences at UK as compared to students who were black and students of other races (UK 2004b).

PCD continued to track progress, and in an October 10, 2004 iteration of the website, a spreadsheet was released with the 2004-2005 goals of *inclusion*, *diversity plan*, *campus environment*, and *mentoring* (UK 2004c). The document tended to be more general in terms of language, with one reference to “cultural perspectives” and one

explicit mention of “students of color” who participated in focus groups, and the document also assigned responsibility to one specific person per goal, and deadlines for each goal of August, 2005 (UK 2004c). This technique of assigning responsibility represents a best practice in diversity programs (Dobbin & Kalev 2007; Dobbin, Kalev & Kelly 2007). Goals, however, were less quantifiable and involved things like, “examine poor retention of students of color,” “development of a working definition of diversity”, and “follow up on campus climate survey data (UK 2004c).” Additionally, an updated report submitted to the University president at the time discussed the eighteen recommendations from PCD and their status (UK 2004d). PCD also had a “library” document with suggested readings related to “diversity”, ranging from psychology and sociology texts (with Allport, Bonilla-Silva, and Feagin among the references) to poetry by University of Kentucky Professor Frank X Walker (UK 2004e). Additionally, a number of faculty, staff, and community members were given recognition called the, “President’s Award for Diversity” and listed on the website for their efforts (UK 2004f). Informed by the 2003-2006 Strategic Plan and the, “Definitive goal for the University to nurture diversity of thought, culture, gender and ethnicity,” the award honors, “those who have demonstrated outstanding efforts toward advancing the University’s mission of embracing diversity *while maintaining academic excellence* [emphasis added] (UK 2004f).” A possible implication in this statement is that others embrace diversity and sacrifice academic excellence, or perhaps that these are competing values. This goes along with criticisms of affirmative action as a violation of the idea of merit-based admissions or employment decisions, which comes under the scrutiny of scholars who see merit as a way of defending white structural advantage (Bonilla-Silva 2018).

In the PCD bylaws, dated May 10, 2004, the University's proposed governing regulations for 2004 are quoted as follows:

“The University is committed to diversity as a vital characteristic of an optimal education and workplace. The University maintains a firm conviction that it must strengthen the diversity of its communities, support free expression, reasoned discourse and diversity of ideas, and take into account a wide range of considerations, including but not limited to, ethnicity, race, disability and sex, when making personnel and policy decisions. The University is committed to periodically evaluating progress made toward diversity and to communicating the results of such evaluations. Based upon these assessments, the University will give diversity factors consideration to ensure achievement of its mission of instruction, research and service and gain the broadest benefits for the University community (UK 2004g).”

The lead item, in this definition, is diversity of thought, lending to the importance of the free exchange in the marketplace of ideas, to use a capitalistic analogy (UK 2004g). This falls in line with a business rationale for diversity in academia, as beneficial to academic institutions for generating higher-quality graduates, thus building on the brand and reputation of the University.

PCD also financially supported diversity initiatives at the university in 2004/2005, according to an archived website from June 1, 2006 (UK 2006a). Funding awards in the amount of \$1,000 or less were given based on programs that would “support a more diverse culture at the University of Kentucky”, and included funding for conference expenses for conferences related to health-disparities, women writers, international students' connecting with rural Kentuckians, and the Black Women's Conference (UK 2006a). According to a document titled “Faculty Staff Initiatives for Diversity” downloaded from a website published June 10, 2008, all that was required to apply for funding was to “identify the initiative”, specify the number of guests and expected costs (UK 2008a). The 2005-2006 annual report of the PCD, in addition to detailing several

funding allocations similar to those above, noted changes in PCD leadership (with Dr. William Turner, V.P. for University Engagement and Associate Provost for Multicultural and Academic Affairs as the next president) and accomplishments of the committee which included diversity awards, faculty diversity recruitment presentations, strategies for a “best practices grid” included in the university’s “Comprehensive Diversity Report”, and funding commissioners’ attendance at NCORE, the National Conference on Race and Ethnicity in American Higher Education (UK 2007c).

Another body responsible for diversity programming was the Equal Opportunity Panel, a panel of faculty, staff, students, and administrators appointed by the president ensure equal opportunity, monitor progress toward goals, and “facilitate the development and implementation of a diversity of perspective in all University affairs.” One study, funded by the Equal Opportunity Panel, was summarized in a PowerPoint from the June 1, 2006 website titled “Cultural Voices: Perceptions of Faculty, Staff, and Students (UK 2006b).” This presentation discussed a study of “perceptions of diversity-related, cultural experiences and their impact on organization processes,” through a survey distributed at a conference titled “Education Beyond Brown”, in commemoration of the 50th anniversary of *Brown vs. Board of Education* (UK 2006b). The project was intended to assist and support the PCD and lead to recommendations based on data obtained through a one-page, 11 item survey of all 199 participants (obtained in the registration process) and four semi-structured interviews with 100 participants (disproportionately people of color) (UK 2006b). Ultimately, respondents agreed at some-level that UK exhibits a diversity of gender, culture, community, and race/ethnicity in recruiting and retaining diverse students (UK 2006b). On the other hand, respondents disagreed with statements that UK

exemplifies a diverse community and that UK values hiring diverse staff at all levels (UK 2006b).

The PCD had a strategic plan from 2007-2009, downloaded from the June 10, 2008 website, which outlined five strategic initiatives by the commission, with “key indicators” related to achievement of the objectives to be developed by the Commission’s working groups for each initiative (UK 2008b):

- I Review existing strategies and develop new ones that will encourage diversity in every facet of undergraduate student affairs.
- II Review existing strategies and develop new ones that will encourage diversity in every facet of graduate and professional student affairs.
- III Review existing strategies and develop ones that will encourage diversity in all aspects of faculty and staff affairs.
- IV Review existing metrics and develop new ones to monitor, evaluate, and improve the progress of programs established to enhance diversity, including demographic diversity among students, staff, faculty, and administrators.
- V Review existing strategies and develop new ones that will build institutional capacity for diversity and inclusion as it informs the university’s efforts in community engagement and public relations.

It is clear from this strategic plan that the intent of the PCD is to review and reform the institution and “encourage diversity”, “including demographic diversity” at UK (UK 2008b), but it does not get much more specific than that.

Viewing a website downloaded from April 12, 2011, the Office for Institutional Diversity (OID) appeared for the first time (UK 2011a). A vice president appointed by President Lee Todd Jr., Dr. Judy “JJ” Jackson, was hired to lead the OID, and she would report directly to the President. JJ provided her definition, and therefore OID’s definition, of diversity as follows:

“At UK, the concept of diversity embraces the many characteristics of human differences, including race/ethnicity, sexual identity/orientation, ideas and world views, national origin, gender, religion, age, physical ability, socio-economic

status, and life experiences, to name some of those most commonly cited (UK 2011a).”

A biography of Dr. Jackson available that same date stated that she became the first Vice President for Institutional Diversity at UK on July 1, 2008, advising President Lee Todd and Provost Kumble Subbaswamy, “on all academic, fiscal and administrative policy decisions regarding the university’s diversity goals; on developing, implementing and evaluating the university’s diversity plan, and on active community involvement around diversity issues (UK 2011a).”

A “Diversity Report” titled “A Community of Inclusion At the University of Kentucky: 2010/2011 Annual Diversity Report to the Council on Postsecondary Education”, downloaded from a January 3, 2012 website iteration, summarized JJ’s first year on the job at UK (UK 2012a). The 6-page document highlighted how UK was, “Promoting inclusive excellence across the university,” in collaboration with President Lee Todd’s ambitious and multifaceted goal to raise the University to a Top 20 ranking university by the year 2020 (UK 2012a). The report noted the hiring of two African American male deans (social work and law), and attributed “record highs in the number of African-American first-year students we admitted and in the total number of African-American undergraduate students that now call UK home,” to Dr. Jackson’s leadership and efforts (UK 2012a). The report went on to detail the racial diversity gains in terms of students and faculty, cultural and religious programming, black history month, international events, as well as scholarships (UK 2012a). Additionally, the report mentions a “Multicultural” publication called *The Pinnacle*, and other efforts (UK 2012a). While this is primarily a public relations publication, it details race at some level, but tends to frame things in terms of culture and a global diversity more

intentionally. Using this type of framing is to use diversity as a sales pitch in many ways, showing prospective students and community stakeholders how diversity is advantageous for preparing students for a global, competitive market.

Several additional important updates were noted in this report, including the installation of a new president at the University, Eli Capilouto (UK 2012a). The report spoke to the Black Male Success Initiative, designed to address concerns of black male students at UK, and included lengthy lists of other diversity initiatives, some broken down by colleges that even publicized the demographics of their faculty (College of Dentistry) and students (College of Dentistry and College of Design) (UK 2012a).

With no mention of the President's Commission on Diversity in the report, a December 1, 2012 iteration of OID's website spoke to the university's strategic goal for diversity and the development of the "UK Commission on Excellence, Diversity and Inclusion (CEDI) (UK 2012b)." This commission took the place of the PCD as well as the former President's Commission on Women, and was composed of task forces that related to Student Services, Academic Support & Enrichment, Quality of Work Life, Women's Initiative for Career and Leadership Development, Partner Opportunities (for partners of faculty), Campus Climate, and specific populations (e.g. Alumni, LGBT, and Latino) (UK 2012b). This clearly represents a broadening conception of diversity as compared to the PCD, which had a more implicit race focus and explicit numerical goals related to race (UK 2012b).

COMPLIANCE

On the compliance side, the April 5, 2004 website archive allowed me to download the 2003-2004 affirmative action plan, and subsequent plans, for the university

(UK 2004h). Since these are compliance documents, they are quite explicit, and more staff-oriented. This 84-page document contained an analysis of the university, goals, identifying “problem areas”, and compliance reports pertaining to the internal audit, among other things (UK 2004h). All of these sections exist based on regulatory guidance from the Department of Labor Office of Federal Contract Compliance Programs (OFCCP), so the tone of the report is rather dry (UK 2004h). One interesting statement in the “problem areas” section was the following phrase: “The University of Kentucky asserts in good faith that de facto segregation does not exist at the University of Kentucky or Lexington Community College (UK 2004h).”

The 2008-2009 Affirmative Action Plan (from the September 2, 2009 website), which went into effect on October 1, 2008, noted that the plan focused on the *Kentucky Plan* and its goals from 1997-2002 as well as compliance with Executive Order 11246, which Affirmative Action plans typically address (UK 2009a). What was the *Kentucky Plan*? It was best described in the same report, as follows:

“In 1982, the Council on Higher Education developed The Commonwealth of Kentucky Higher Education Desegregation Plan in response to a U.S. Office of Education Office for Civil Rights (OCR) finding that “the Commonwealth of Kentucky, in violation of Title VI of the Civil Rights Act of 1964, has failed to eliminate the vestiges of its former de jure racially dual system of public higher education.” Development of the plan was necessary for Kentucky to meet the requirements of Title VI of the Civil Rights Act of 1964. The duration of the original plan was five years (1982-87). In 1987, the Commonwealth submitted a summary report to OCR on all actions taken by Kentucky under the plan. OCR released Kentucky from further data reporting in 1987 but, to date, OCR has not notified Kentucky as to its status regarding Kentucky’s satisfaction of the 1981 findings (UK 2009a).”

Noting that the *Kentucky Plan*, which had been extended since 2002, was now being called into question based on Supreme Court decisions near the time (including the *Grutter* and *Gratz* cases involving the University of Michigan), the Council on

Postsecondary Education collaborated with presidents and fellows from Harvard University on behalf of their Civil Rights Project to conduct a Statewide Diversity Study to produce research that would translate to policies pertinent to diversity in higher education in Kentucky (UK 2009a). Among the aims were ensuring that the use of race and national origin in Kentucky's diversity plan was sufficiently narrowly tailored and exploring "the extent to which race-neutral alternatives would be workable (UK 2009a)." Importantly, the plan specified the differences between the requirements of the Kentucky Plan and those of E.O. 11246 as follows:

"While similar in intent and overlapping in specific employment categories, the scope of Executive Order 11246 and the current Kentucky Plan are different. Focused solely on equal employment opportunity, Executive Order 11246 requires affirmative action for women and all minorities by federal contractors. The goals related to the Kentucky Plan are specifically for the education of Kentucky resident African-American students and the employment of African-American faculty and staff. This, for the observer unfamiliar with the population and the available workforce of Kentucky, may seem in conflict with the employment goals of the Executive Order 11246 where all minorities must be considered. However, the availability analysis and census information in the local and regional markets will reveal that the African-American population represents the largest minority population with all other minorities comprising only about 3% of the total population. There are goals established for both all minorities and African-American employment enabling the University of Kentucky to address its different, if not competing, commitments to equal employment opportunity (UK 2009a)."

Additionally, the April 5, 2004 website archive allowed me to download the 1997 – 2002 Kentucky Plan for Equal Opportunities in Higher Education, which was "the third iteration of desegregation planning which began in 1982," and "the second edition of the *Kentucky Plan* adopted in 1990 (UK 2004i)." This plan more directly related to enrollment and retention of African American students, as indicated in this quote from the introduction of the report:

“Statistically, Kentucky has achieved one objective in the existing Kentucky Plan – the enrollment of Kentucky resident African Americans in public institutions at a level equal to their representation among high school graduates. However, the provision of equal opportunity through access is in stark contrast to how well those students fare once enrolled. If equal access and opportunity are to be realized, Kentucky must continue to enroll Kentucky resident African Americans at the current rate and must confront several major problems: student preparation, student retention, the educational experience, and success for all students.

The new plan places major emphasis on retention and graduation of African American students. One significant factor necessary to increasing graduation and retention rates is the need to create and maintain a hospitable campus environment (UK 2004i).”

Kentucky was cited by the Office for Civil Rights in the areas of students, employment, and enhancement of Kentucky State University, which is the only Historically Black College or University (HBCU) in the state of Kentucky (UK 2004i). The report mentions that while the state has achieved the objective of enrolling resident African American students in college in the same proportion as that for white students, they needed to continue to improve that proportion and emphasize retention, graduation, and employment as well, because those original goals had not been met (UK 2004i). Research indicates that this legal accountability is associated with higher levels of effectiveness (Dobbin, Schrage & Kalev 2015). The 1997-2002 plan had the commitments, objectives, and action plans outlined in Table 6 below (UK 2004i):

One will notice that these objectives are very specific, and all pertain to African American representation (UK 2004i). This makes sense, as this was a desegregation order, and not a broader diversity initiative. The source of this was external, as it was imposed by the Office for Civil Rights of the U.S. Department of Education. This research would suggest that this will be an effective policy due to the specificity and

explicitness of the requirements, as well as the legal accountability (Dobbin, Schrage & Kalev 2015).

The Office of Equal Opportunity website on April 5, 2004, connected with the *Kentucky Plan*, explaining their charge, in part, with collaborating with the Council on Postsecondary Education (CPE) Committee on Equal Opportunity (UK 2004j). Other charges included development and distribution of the university's affirmative action plan, setting and monitoring employment goals, handling discrimination complaints, and broadly "fostering a diverse and inclusive learning and working environment (UK 2004j)." The website had a link listing definitions of terms and laws related to equal opportunity, including defining equal opportunity, affirmative action, and utilization analysis, all of which lacked specific reference to race in their definitions (UK 2004j). Instead, the language of "protected groups" was used in these instances, although when laws and regulations were listed (e.g. Executive Order 11246, Title VII of the Civil Rights Act of 1964, etc.) the language was more explicit (UK 2004j).

The 2010-2011 Affirmative Action Plan, available for download on a April 1, 2011 website iteration, provided an update on the status of the *Kentucky Plan* and the recommendations of the Statewide Diversity Study (UK 2011b). On January 16, 2009, CPE adopted an action plan for developing a statewide diversity plan to replace The *Kentucky Plan*, paying particular attention to compliance to legal standards that the *Gratz* and *Grutter* cases in the University of Michigan Supreme Court cases laid out (UK 2011b). CPE established three workgroups (Legal, Plan and Policy, and CPE Staff and Institutional Representatives) (UK 2011b). The plan would be called *Kentucky Public*

Postsecondary Education Diversity Plan, and was to be submitted for approval by CPE by March 2010 (UK 2011b).

A brochure for the Office of Institutional Equity and Equal Opportunity (IEEO) website on February 5, 2007 provided information about the services that office provides (UK 2007d). The brochure defines equal opportunity at UK as having to do with compliance and complaint resolution, training and outreach, reasonable accommodation and Americans with Disabilities Act (ADA) compliance, affirmative action programs, diversity initiatives (listed separately from affirmative action programs), employee advising, and providing guidance regarding the *Kentucky Plan* (UK 2007d). While this seems much broader than compliance and complaint resolution, the stated goal of the IEEO office is:

“... To cultivate an environment free of discrimination and to provide equitable resolution to complaints alleging discrimination based on race, color, ethnic origin, national origin, creed, religion, political belief, sex, sexual orientation, marital status, uniform service, veteran status or mental or physical disability (UK 2007d).”

Additionally, the brochure quotes the University’s strategic plan:

“We must create an inclusive living and learning environment for faculty, staff and students through leadership training, professional development, and mentoring programs that promote sensitivity and respect for the full range of human diversity (UK 2007d).”

Ultimately, changes related to the disappearance of PCD and emergence of the Office for Institutional Diversity, and the influence of the *Kentucky Plan* were important themes at UK. On the compliance side, the racial harassment brochure was apparently discontinued, however much of the remaining content was relatively consistent.

ARCHIVED WEBSITES – UNIVERSITY OF MICHIGAN

The University of Michigan (UM) has been at the forefront of much of the national dialogue on diversity and inclusion. In their mission and vision as of March 2, 2000, the website notes a vision, “To be recognized as a university that honors human diversity (UM 2000a).” Beyond that, very little is written regarding diversity at Michigan. A letter from the president, Lee Bollinger, from a May 30, 2000 website provides slightly more, discussing the value of the diversity of students and faculty at UM, it states:

“Having students and faculty from diverse backgrounds, representing a wide range of perspectives and talents, is critically important not only for instilling a positive sense of community within and beyond the University but also for creating the most vital intellectual and educational atmosphere. *Racial and ethnic diversity is a critical component of this broader goal* [emphasis added].

I invite you to join me as we continue to strive to create a community of learning where all thrive, secure in the knowledge that their histories and cultures are valued, and where we all have the opportunity to gain a deeper appreciation for the viewpoints and contributions of others (UM 2000b).”

Here is an explicit mention of the importance of racial and ethnic diversity, however, the first mention of diversity implies that it refers to “perspectives and talents” primarily.

Much of the coverage of diversity on the university website in 2000 related to the two lawsuits (*Grutter v. Bollinger* and *Gratz v. Bollinger*) that the university was facing. For example, the university highlighted that General Motors filed an amicus brief supporting UM admission practices (UM 2000c). Later, the university listed the “nearly 80” organizations that filed amicus briefs in support of affirmative action at UM (UM 2001a). Additionally, the website had press releases about research being done at UM related to affirmative action, with titles like “Affirmative action: major source of white opposition is racial prejudice”, citing an article in *Social Problems* (Williams, Jackson, T.

Brown, Torres, Forman and K. Brown 1999; UM 2000d). The website also highlighted a conference presentation about models of diversity and different measures being taken to address “racial tolerance” on campuses (UM 2000e).

Court documents appeared frequently and accessibly on the UM website. A fact sheet website from August 17, 2000 outlined the *Gratz v. Bollinger* and *Grutter v. Bollinger* cases, filed in October and December of 1997, respectively (UM 2000f). They were instigated by the Center for Individual Rights (CIR), a public interest law firm that focused much of its efforts and energy fighting affirmative action (UM 2000f). *Gratz* challenged the University of Michigan’s College of Literature, Science & Arts’ use of race in its admission process brought by Jennifer Gratz and Patrick Hamacher, two unsuccessful white applicants for admission. *Grutter* challenged the use of race in admissions at the Law School, brought by Barbara Grutter, who was an unsuccessful white applicant. The fact sheet outlined the University’s position as follows:

“The University’s position is that the Constitution and civil rights statutes, as interpreted by the Supreme Court in the 1978 *Bakke* decision, permit it to take race and ethnicity into account in its admissions program in order to achieve the educational benefits of a diverse student body. A racially diverse student body produces significant educational benefits because of the current state of segregation and separation along racial lines in America. These benefits constitute a “compelling governmental interest” which justifies the consideration of race and ethnicity in the University’s admissions system (UM 2000f).”

They also note that students and citizens have “intervened to defend the university’s policy” as necessary, “to remedy past and/or present discrimination against minorities (UM 2000f).” General Motors’ amicus brief argued a compelling interest in educating students and training them to function in a global marketplace, as well as the fact that eliminating affirmative action in educational institutions would deprive businesses of

minority candidates who are well-trained and essential to the nation's economic success (UM 2000c).

The university's former provost, Dr. Frank H.T. Rhodes, wrote an op-ed in the New York Times in December, 1999 that was featured on Michigan's website on August 17, 2000, cautioning against the Texas Top 10 policy as a "swift, sure and wrong" policy (UM 2000g). He noted that these types of percentage quotas penalize students in more demanding schools who fail to make the top ten, but may be more prepared than people in the top ten in less demanding schools (UM 2000g). He also mentioned how they incentivize taking less-challenging classes in an effort to ensure higher grades and increase the likelihood of a higher-class rank (UM 2000g). Ultimately, he considered this policy to be an "individual-blind" quota policy, and instead advocated holistic admissions processes with race and ethnicity included in a constellation of factors for admissions consideration (UM 2000g). In a different article on that same date, then-provost Nancy Cantor reiterated some of these arguments, while also referencing scholarship by Bowen and Bok and by Gurin, explaining how well students of color do in (and upon graduating from) selective institutions and the educational benefits for all students in diverse classrooms, respectively (UM 2000h). To that second point, Cantor explained it as a response to allegations against affirmative action: that eliminating consideration of race would lead to lower quality education for all, quality of life for all, and economic and social mobility for people of color (UM 2000h). The power of the rationale of the educational benefits for *all* is a clear nod to the interest convergence theory advanced by Derek Bell (Bell 1980), appealing to whites based on their interests as a group. Further, a press release dated September 24, 2002 from The University Record Online, discusses

The Gurin Report, which is described as the backbone of the defense of affirmative action and is named after Dr. Patricia Gurin, who retired as faculty but continued work on campus in some capacity at the time, particularly with regard to the lawsuits (UM 2002a). Assistant General Counsel at the time, Jonathan Alger, spoke to one of the important findings of the research that Gurin et al. conducted as, follows;

“Pat and her colleagues have shown there are benefits to all students. That word ‘all’ is very important (UM 2002a).”

The website continued to display summaries of panel discussions with researchers highlighting the benefits of a diverse student body, explanations of recent research by UM faculty providing evidence in favor of affirmative action and highlighting other companies and respected individuals who supported their admissions practices. A January 3, 2001 iteration of the UM website provides a somewhat comprehensive “Q&A” about the universities admissions policies that touches on all major rationale (UM 2001b). In fact, in 2001 there was an entire website section titled “Information on Admissions Lawsuits.” In a website from June 5, 2001, discussing the university’s legal argument, they noted that in the two lawsuits they were not relying on *Bakke*, but were proving that diversity on campus is a compelling governmental interest (UM 2001c). Their argument spoke to the evidence of educational benefits that a racially and ethnically diverse student body produce in undergraduate and law school (UM 2001c). They noted that the policy considered race as “one of many” factors, that there were no quotas or numeric goals, that all students admitted were well-qualified, and that the policies did not “meaningfully affect” a white student’s chances of admission (UM 2001c). Research was frequently cited, and commentary by faculty experts tended to

support diversity rationale, the value of diversity in higher education, and the importance of that diversity in preparing students for a global economy.

News releases also updated on the status of cases, closing arguments for cases, and other court documents were available for download through the University website. For example, a December 13, 2000 news release contained a statement from President Lee Bollinger, which stated,

“This is an unequivocal ruling in our favor. The court ruled that the current system for admitting students to the University of Michigan is legal, and the reasons for the consideration of race are completely justified . . . The decision of the court today supports the admission policies of virtually every selective university in the nation. The court has followed 22 years of settled law which permits colleges and universities to pursue diversity to meet important educational aims (UM 2000i).”

This was in response to Judge Duggan’s ruling, which a fact sheet from a May 14, 2001 iteration of the University website explains, was a summary judgment in the University’s favor, with the finding that the pursuit of the educational benefits of diversity was a compelling governmental interest and that the admissions policy was fully constitutional for undergraduate admissions (UM 2001d). The intervenor’s alternative defense of the policy as a remedy for past and/or present discrimination was rejected as a compelling governmental interest (UM 2001d).

Available court documents included the opinion of Judge Bernard Friedman in the district court case of *Grutter v. Bollinger*, where he discussed the summary findings of the law school admissions suit and noted, “The current stated reason for granting a preference to members of these groups is that certain educational benefits flow from a racially diverse student body, and members of underrepresented minorities would not be admitted in significant numbers unless race is explicitly considered (UM 2001e).” This is

the so-called “diversity rationale”. However, in a footnote, Friedman mentions that although that is the stated policy, the law school bulletin rationalized affirmative action because producing lawyers from racial groups the faculty identifies as underrepresented is a public interest (UM 2001e). Further, the admissions policy for the law school stated the necessity to consider race and inclusion for groups that have historically been the targets of discrimination, going on to discuss the need for an ambiguous “critical mass”. For the college of law, Friedman found several rationales used for the defense of race-based admissions policies (UM 2001e). Ultimately, Friedman concluded that assembling a racially diverse student population was not a compelling state interest, that the use of race was not narrowly tailored enough, and that remedying past or present discrimination has not been identified as a compelling state interest (UM 2001e). Key university personnel including president Bollinger, provost Cantor, and law school dean Jeffrey Lehman responded to the ruling, and explained that it would be appealed (UM 2001f). It was appealed and on May 14, 2002, the Court of Appeals for the Sixth Circuit Court reversed the decision, stating that Michigan’s law school policy was constitutional (UM 2002b). It relied on the educational benefits of diversity as a compelling governmental interest and again did not speak to whether remedying past and or present discrimination (Katznelson’s preferred argument) was a compelling governmental interest as the educational benefits were enough in this case (UM 2002b). The University included this date on their “chronology of key rulings” on the university website (UM 2002c).

An April 30, 2001 iteration of the university website included a “Questions & Answers about the University of Michigan Law School Admissions Process at Issue in Grutter v. Bollinger, et al.” document that clearly illustrated the law school’s attempts to

justify the use of race, explaining that diverse classrooms provide a diversity of perspectives that help students prepare for the world outside of the classroom (UM 2001g). While a room full of white students would likely have diverse perspectives, the law school argues that race is a “uniquely important factor” and that “A well-trained lawyer should understand how the experience of race can influence people’s perceptions of our nation’s legal, political, and economic systems (UM 2001g).” Further, this document claims the constitutionality of the policy (per the *Bakke* decision), that this is not a “two-track” system (with a separate track for racial minorities) and there are no quotas, and that only qualified students are admitted (UM 2001g).

The university also covered affirmative action related issues going on across the country in other states. For example, an August 9, 2002 website iteration in the “Information on Admissions Lawsuits” section included an “Overview of Recent Affirmative Action Developments”, highlighting key cases in Michigan and in other states, including Washington, California, Texas, Georgia, Maryland, Nevada, New York, and Virginia, as well as pertinent cases at other localities (UM 2002d).

That month, on August 1, 2002, Dr. Mary Sue Coleman took on the role of president of the University of Michigan. The lawsuits that were underway continued to make headlines, and in briefs filed to the Supreme Court on October 29, 2002, the university urged that the historic 1978 *Bakke* decision not be overturned. In a press release on the university website, Coleman is quoted as saying:

“We’re urging the Court not to turn back the clock on our ability to assemble a diverse student body. . . Universities have relied upon this important Supreme Court precedent for a quarter of a century. A decision reversing *Bakke* would severely impoverish our higher education system. . . We recognize the national significance of these cases, and we’re determined to defend our policies through to the end. If the Supreme Court should decide to hear these cases, we feel

confident that we'll win once again. We have presented compelling evidence of the importance of diversity to our educational mission, and of the consequences if we should have to abandon our very sound and thoughtful policies (UM 2002e)."

Here again, the university's official position regarding the importance of diversity to the *educational mission* of UM is the key point.

In response to the Supreme Court's agreement to hear these two cases on December 2, 2002, Dr. Coleman responds similarly:

"We must be able to assemble a diverse student body if we are to continue providing all students—regardless of their race—with the best possible educational environment. It is the only way we can prepare students to live and work effectively in our diverse democracy and in the global economy. What's at stake is the quality of our American higher education system (UM 2002f)."

Again, this quote highlights the benefits of a diverse student body to "all students – regardless of their race", aligning well with Bell's idea of interest convergence and with the lacking of specificity that colorblindness often facilitates (Bell 1980; UM 2002f). Interestingly, she goes on to briefly discuss how levels of racial segregation remain high and, "The color of your skin determines so many important things about your life experience . . . Race still matters in our society. The ideal of color-blindness does not mean we can or should be blind to that reality (UM 2002f)." Coleman also made this point clear in a Washington Post editorial titled "No Time for Colorblindness", on the UM website on December 15, 2002 (UM 2003a). Although this is not the legal rationale that the university leveraged in its cases, this principled support was hinted at in many ways by UM even after the Michigan Civil Rights Initiative (MCRI) passed in 2006, and other research has illustrated this as well (Berrey 2015).

In early 2003, several articles on the UM website were individuals' and organizations' responses to the George W. Bush administration's stated effort to

eliminate the use of race in college admissions, and intent to file a brief in opposition to the UM policy in the Supreme Court cases. Included among the responses were National Hispanic Organizations, Senator Debbie Stabenow, the National Partnership for Women and Families, and of course UM President Mary Sue Coleman. In her statement, from a January 15, 2003 iteration of the UM website, Coleman reiterated her arguments in favor of diversity to enrich the educational experience of students, noted that quotas and percentage targets are not used at Michigan, and criticized percentage plans (referred to as “affirmative access” by George W. Bush) like that of Texas, which relied on racial segregation in high schools to ensure diversity in colleges and universities (UM 2003b). Coleman, for some time it seems, discussed and defended the UM admissions policy to the point of exhaustion. She even gave remarks about it at the MLK celebration in 2003, where Grace Lee Boggs was an honored guest and the topic of the celebration did not directly concern the lawsuits (UM 2003c).

The university continued to produce and share fact sheets, research explaining the shortfalls of percentage plans or justifying how their admissions policies complied with the *Bakke* decision and were not quotas, and explanations of the support they garnered for their policies. Often op-ed pieces or newspaper articles would be posted on the UM website. A number of articles on the website were responses to a critique of the expert testimony of Patricia Gurin by Chetly Zarko in the Wall Street Journal. The websites also included court documents and brief explanations of court rulings and the status of cases.

On June 23, 2003, the university received the decisions of the Supreme Court cases, and it was a day that President Coleman described as “a day of enormous pride for

the University of Michigan (UM 2003d).” Essentially, the Supreme Court ruled in *Grutter* that the Law School’s admissions policy was in compliance with the rules as outlined in *Bakke*, but that the undergraduate admissions policy needed to be revised per the *Gratz* decision. In a June 23, 2003 website iteration, the Director of Undergraduate admissions at the time, Ted Spencer, responded to the ruling by saying,

“In rendering its decision, the court gave us a road map on how we can narrowly tailor our admissions process to help achieve diversity on our campus. As a result of this landmark decision, I am confident that we can craft a new undergraduate admissions process which will enable us to consider many factors as we continue to identify, admit, and encourage the enrollment of many of this country’s best and brightest students (UM 2003e).”

Specifically, the finding was that the automatic distribution of 20 points (out of 150 possible) in the admissions point system for undergraduate students at UM’s college of Literature, Science, and the Arts (LSA) was not narrowly tailored enough to achieve the diversity which the court deemed a compelling interest (in line with the *Bakke* decision). Race could still be a factor in admissions, but should not be the deciding factor, and the court ruled that in this system race was likely the deciding factor for many applicants. In light of the positive ruling, the university proudly publicized its theory that research and the amici briefs that were submitted in the cases played a major role in the decisions of the Supreme Court (UM 2003d; UM 2003e).

The LSA admissions process was substantially revamped, and that new process was communicated on the UM website. An August 28, 2003 press release detailed these new changes, which went into effect that day (UM 2003f). Among the changes were new questions designed to elicit more information about student background, achievements, and ways applicants would contribute to the diversity of the student body (UM 2003f).

Additionally, the university developed a form to be sent to high school counselors and teachers to get more information about the students' academic preparation and background (UM 2003f). Further, the review process changed as the point system was done away with, and UM still embraced a holistic review for admissions (UM 2003f). The new process, as described on the website, involved an initial review of applications by a former educator who serves as a "reader", followed by a blind review by a professional admissions counselor who did not have access to the initial readers' review (UM 2003f). These two recommendations were forwarded to a "senior-level manager" in the Office of Undergraduate Admissions (OUA) who would make the final decision (UM 2003f). If there was disagreement or inconsistency, the admissions file would be sent to an admissions review committee for further consideration and discussion (UM 2003f). Importantly, none of the factors under consideration (including race) would have a fixed weight in the admissions process, but instead, as the Provost Paul M. Courant explained, "each will be considered flexibly in the context of the student's entire file (UM 2003f)." This fits with what Wilson (2012) argued for, a process of what he called "affirmative opportunity".

This was a significant change to the admissions process in response to the *Gratz* lawsuit, and a Frequently Asked Questions (FAQ) on the admissions process downloaded from a December 8, 2003 iteration of the university website explained that 16 new part-time readers were added to the Office of Undergraduate Admissions staff to conduct the initial review, and five new admissions counselors were added for the second review (UM 2003g). Readers and counselors were to go through an intensive training process with sample applications included (UM 2003g). Throughout the FAQ document, it

explained the new process but also periodically defended the old, for example, in a response to the question of whether this new system will ensure that admitted students are academically qualified, the response was, “Yes. As before, the primary factors in our admissions process will be those that ensure students are prepared for the academic challenges of the university (UM 2003g).” Additionally, the language about race as “one of many” factors was consistent (UM 2003g).

Very little appeared on the websites about diversity until a website iteration from April 30, 2004 provided frequently asked questions about a new ballot proposal, the Michigan Civil Rights Initiative (UM 2004a). In the wake of the *Grutter* and *Gratz* decisions, opponents of affirmative action sought to advance their cause at the polls, capitalizing on the general public disdain for affirmative action policies. The FAQs explained that the wording of this proposal largely mirrored California’s Proposition 209, which banned affirmative action there (UM 2004a). The website went on to explain specific consequences, including different pipeline programs that would no longer be permissible under the law (UM 2004a).

A February 24, 2005 iteration of the university website included a “Diversity at Michigan” page (UM 2005a). The page, in its welcome section, had a message from President Mary Sue Coleman, which stated,

“Diversity, in all its forms, is a central, long-term ethic at Michigan. . . We take pride in our successful defense of the educational value of diversity, which maintained the right of the University of Michigan, and all American colleges and universities, to pursue and honor the value of diversity in our academic communities. . .

Diversity is an essential asset within Michigan’s academic community. Our vital and robust learning environment relies on the exchange of diverse experiences and points of view. Only by bringing together people from many different

cultures, traditions, and backgrounds can we fully equip the next generation to engage with present and future challenges and opportunities (UM 2005a).”

This diversity website also had information about campus climate, on which the website displayed the phrase “Our diversity is our strength (UM 2005b).” Ultimately, the purpose of this section of the website was to list campus resources related to diversity, and testimonials from students about how they benefited from the diversity at Michigan (UM 2005b). The testimonials seemed to suggest a broad definition of diversity, with the first student testimonial shown stating “At Michigan, I’ve become friends with many students of various backgrounds – *not just racial and ethnic* [emphasis added]. . . I’m very grateful for the diversity (UM 2005b).”

On October 26, 2005, the university website proudly announced that enrollment set a new record in 2005 (UM 2005c). Within this article, it detailed that not only did the size of the class increase, but the numbers of underrepresented students increased dramatically as well, with African American student enrollment increasing 26% from 2004 to 2005 (UM 2005c). Partially explaining these gains, the university website discussed workshops given to high school counselors and prospective students, “radio ads in urban markets”, and a Spanish-language web portal (UM 2005c).

Also in 2005, a November 16, 2005 website iteration introduced the Center for Institutional Diversity (CID), funded in part by a grant awarded by the Ford Foundation, with the culmination of planning occurring at a “Futuring Diversity Conference” in May 2005 (UM 2005d). The CID brought leaders from around the university to “develop the models, networks, and tools needed for a sustained engagement with diversity (UM 2005d).” The mission statement for the CID said that it, “aims to prepare people for engagement in a diverse society and work toward building productive inclusive

communities at the University of Michigan and beyond (UM 2005d).” It speaks to identifying the value of diversity “through multiple perspectives”, seeking how to benefit from diversity, helping to provide tools to “sustain connections across differences”, and preparation for the increasingly diverse and interconnected world (UM 2005d). The CID is composed of “scholars, practitioners, and leaders” to design programs that are create models of successful and robust diversity (UM 2005d). This constitutes a rather vague description of diversity and the rationale for its benefits.

An February 11, 2008 website iteration discussed the National Center for Institutional Diversity at UM (UM 2008a). In a narrative detailing the rationale and history of the NCID, the website explains that UM has been “historically progressive”, and that after the affirmative action lawsuits, further recognized the, “responsibility to provide continued leadership in enhancing diversity and education as a means of achieving equity, democracy, and freedom in our society,” as well as the power of social institutions united in defense of diversity (UM 2008a). The mission statement explained that the NCID “represents a strategic commitment by the University of Michigan to address complex diversity issues within higher education and other major social institutions (UM 2008a).” Further, it “promotes national exemplars of diversity scholarship, multilevel engagement, and innovation by operating as a catalyst, venture fund, incubator, publisher, and think tank,” and conceptualizes, “diversity in the broadest, richest sense – including considerations of race, ethnicity, gender, class, geography, age, culture, and viewpoints (UM 2008a).”

In 2006, the UM website began covering the Michigan Civil Rights Initiative (MCRI) more extensively. A FAQ document updated May 9 2006 outlined the potential

ramifications of Proposal 2 and the areas which would be impacted, including financial aid, housing, faculty recruitment and employment, and private foundation grants (UM 2006a). Further, it outlined specific programs and initiatives at different colleges at UM and how they would be impacted (UM 2006a). Generally, race-specific language was avoided in the FAQs in favor of language of “underserved” and “underrepresented” populations, and mentions of “minority populations” (UM 2006a). A few specific initiatives targeting recruiting high school students used language that was more explicit, naming African American, Native American, and Latino populations (UM 2006a).

The MCRI, Proposal 2, passed in Michigan on November 7, 2006 with a 58% to 42% margin, and on November 21, 2006 the UM website announced the formation of a “Diversity Blueprints” task force for brainstorming surrounding the question, “How can we maintain and enhance diversity at U-M in the years ahead (UM 2006b)?” In an announcement, the president, Mary Sue Coleman, and provost Teresa Sullivan, noted that UM had much work to do to live up to its ideals of being a “broadly diverse learning community,” but that the passage of the MCRI, “makes this work more urgent, particularly with respect to race, ethnicity, gender and national origin (UM 2006b).” The task force was to be co-chaired by the provost and Lester P. Monts, senior vice provost and special counsel to the president, and include students, staff, faculty, alumni, and administrators (UM 2006b). Topics covered included K-12 outreach, admissions, financial aid, faculty and staff recruitment, mentoring and student success, campus climate, classroom discussions, diversity research and assessment, and external funding opportunities (UM 2006b).

In a follow-up on December 21, 2006, the university website listed several public fora from January 10, 2007 through February 23, 2007, where the task force invited university community members to “share their best ideas (UM 2006c).” It listed task force members, which included faculty, staff, administrators, students, and alumni (UM 2006c). In a story on the university website on January 10, 2007, task force co-chair Lester Monts was quoted as saying, “We want participants in these sessions to feel free to express any ideas for how we can sustain and enhance diversity efforts at U-M. General concepts to detailed plans, regardless of how ambitious or out of the ordinary, will be given every consideration by the task force (UM 2007a).”

On January 15, 2007, the University Record noted that the admissions process, which was halted as of December 29, 2006, would resume “without consideration of race and gender” for the incoming class as of January 10, 2007 (UM 2008b). This decision came in light of efforts to delay implementation of Proposal 2 guidelines on the basis that it was unfair to apply these new requirements to applicants in the middle of their admissions and financial cycles (UM 2008b).

On February 19, 2007, the University Record posted an article titled “Diversity Blueprints Taking Shape”, which outlined three main themes emerging from “hundreds of ideas and hours of input received thus far. They are: educational outreach and public engagement; admissions, financial aid and academic support; and campus climate and the University experience (UM 2008c).” In the task force’s preliminary report, it states:

“What unites many of these recommendations is that they recognize that diversity is far more than a demographic goal; it is a set of constant dynamic and reciprocal interactions. It is in the fostering of, and training for, meaningful exchange that diversity becomes intellectually, culturally and socially productive and central to the University’s educational mission. In these recommendations, diversity is understood as a source of continual mutual enrichment through supported

interactions with community partners, campus constituencies, and classroom and research practices (UM 2008c)."

The report identified key issues and challenges, as well as strategies for pursuing diversity (UM 2008c). Most of the language concerned "diversity", but one section focusing on structural issues mentioned making the university an established profile as a "minority-friendly" institution in the state of Michigan as opposed to an "ivory tower" profile (UM 2008c).

The final report was largely consistent in the language used, where the language of diversity dominated and the significance of race and/or underrepresentation of members of certain racial groups was minimized (UM 2007b). The report has a number of principal recommendations:

POLICIES AND PROGRAMS

- I. Establish fully coordinated educational and community outreach and engagement activities.
- II. Maintain and improve student admissions, conversion, and retention practices within the new legal parameters.
- III. Address U-M's interpersonal climate by providing structured interactions, facilitated dialogue, and opportunities to work across boundaries.
- IV. Dismantle structural impediments and increase structural support for faculty, staff, and students, especially those working on diversity-related issues.

INSTITUTIONAL PRACTICES

- V. Ensure campus-wide buy-in, engagement and transparency with diversity efforts.
- VI. Increase accountability and sustainability mechanisms for all units and departments across the university.
- VII. Continue to advance these goals.

More specifically, at the undergraduate level, there were six main focus areas that the Diversity Blueprints Task Force identified that govern the effectiveness of the diversity programs, which were (1) pipelines that assure a diverse pool, (2) application

and admission processes, (3) financial aid and other conversion processes, (4) retention, persistence, and graduation, (5) climate, and (6) research and evaluation (UM 2007b). For graduate students, recommendations concerned pipeline and recruitment, admissions, and climate (UM 2007b). In the category of pipeline and recruitment, recommendations included increased intra- and inter- university collaborations for more dual-degree programs and making UM more accessible and affordable for students at other universities (UM 2007b). Additionally, *Diversity Blueprints* recommended establishing an independent 501(c)(3) foundation to fund scholarships for diverse students and “the creation of formal procedures to identify *structural impediments* to creating a diverse campus (UM 2007b).”

A July 3, 2007 iteration of the university website, in the wake of the Diversity Blueprints final report, included a section titled, “Creating an inclusive community: what are hate crimes and bias incidents (UM 2007c)?” This highlighted the bias reporting procedures titled the “Expect Respect” initiative (UM 2007c). From the website, “Expect Respect is an educational initiative aimed at supporting a campus climate in which all persons are treated with civility. Community members from across campus have worked together to strengthen our framework of support services for those who have experienced hate crimes or bias incidents (UM 2007d).” The website included definitions of a large number of terms, including diversity (“the variation of social and cultural identities among people existing together in a community”), bias, discrimination, hate crime, inclusiveness (“creating a hospitable and welcoming environment; interacting with all members of a community without regard to individual characteristics”), race, racial bias, ethnicity, and LGBTQ related terms (UM 2007c). In formulating a bias response

protocol and reporting structure, UM identified three broad areas of incidents that they predicted would be reported, (1) hate crimes, (2) violations of the University of Michigan's Standard Practice Guide, and (3) violations of the Statement of Student Rights and Responsibilities (UM 2007c). The first category largely relates to state and federal law, the second concerns primarily employee policies, and the third relates directly to student policy. Rationale for this policy is oriented toward the universal benefit of an environment low in bias:

“The University of Michigan is committed to the success of all our students, staff and faculty. By working to create an environment that values and celebrates our diverse community and fosters respect for every individual, you can help ensure that all persons can perform up to their full potential.

Acts of bias and intolerance can have a profoundly negative effect both on the person toward whom the discriminatory behavior is directed and on the University community as a whole. Making yourself aware of, and sensitive to, issues of bias is essential to creating and sustaining the best possible environment for learning, scholarship, creative activity, and working together (UM 2007c).”

In the frequently asked questions section of the website discussing the Expect Respect campaign, it provides the federal and state definitions of hate crime, explaining that example hate crimes could include painting racial slurs on dormitory buildings, and vandalism while insulting one's religion, but also that non-criminal “bias-related incidents” harm another person based on a classification, “such as race, color, ethnicity, national origin, sex, gender identity or expression, sexual orientation, disability, age or religion (UM 2007e).” Example bias incidents include writing racial slurs on dormitory buildings, or mocking individuals based on their cultural attire or accent (UM 2007e). One of the questions in this section also asks who benefits from a diverse community, to which the response is, everyone (UM 2007e). The website explains:

The University's diverse blend of students, staff and faculty is a tremendous resource, and we all benefit from this mix of perspectives and experiences. For many students, college is the first opportunity to meet and interact with those from other races, cultures and backgrounds. It is through this rich learning environment that we teach future generations the importance of understanding and valuing every individual's opinions and experiences (UM 2007e).

On October 8, 2007, the University launched their "Diversity Matters" website, which was intended to provide "a portal to curricular and extra-curricular programs and initiatives, individuals and groups, and other resources available to advance and sustain a welcoming and diverse community (UM 2008d)." The website contained resources for the university, research and reports, updates on current events and diversity-related legal issues (UM 2008d). The intent was that this website be a one-stop shop for diversity resources at UM (UM 2008d). A November 5, 2007 iteration of the Diversity Matters website had a welcome from the Senior Vice Provost for Academic Affairs and Senior Counselor to the President for the Arts, Diversity and Undergraduate Affairs, Lester P. Monts (UM 2007f). In his welcome, Monts described diversity as follows:

"Diversity means different religions, identities, and cultures; conflicting politics and infinite interests; a broad variety of academic disciplines and research initiatives.
Diversity means listening to others, offering your views, giving respect, and expecting it in return (UM 2007f)."

Noticeably absent from this definition are the more explicit terms used earlier, which included race, national origin, color, ethnicity, etc. Here, "identities and cultures" seems to hint to racial diversity, but for front-stage consumption, diversity is conceptualized as exceptionally broad (UM 2007f). As Berrey (2015) suggests, however, this was likely for reasons of legal compliance, where diversity was still used as a code word to suggest race in internal conversations at UM.

COMPLIANCE

A May 4, 2000 iteration of the university website states the nondiscrimination policy (UM 2000j). A fairly standard policy, it reads as follows:

“The University of Michigan, as an equal opportunity/affirmative action employer, complies with all applicable federal and state laws regarding nondiscrimination and affirmative action, including Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973. The University of Michigan is committed to a policy of nondiscrimination and equal opportunity for all persons regardless of race, sex, color, religion, creed, national origin or ancestry, age, marital status, sexual orientation, disability, or Vietnam-era veteran status in employment, educational programs and activities, and admissions. Inquiries or complaints may be addressed to the University's Director of Affirmative Action and Title IX/Section 504 Coordinator (UM 2000j).”

The office for institutional equity listed its mission statement on an November 20, 2005, which outlined how the office, “oversees, facilitates, and supports the University’s efforts to ensure equal opportunity for,” the same populations listed above (UM 2005e). This compliance side remained consistent throughout the first several years of this study, and also remained relatively explicit in comparison to some of the other discussions.

After 2007, very little changed in the University’s websites concerning diversity through 2012, so while the pre-2007 (and more specifically, pre-2006, pre-MCRI) websites largely concerned the use of race and different rationales for diversity based on supreme court cases and then battling the MCRI, subsequent diversity publications and press releases on the UM website were relatively few and far between.

ARCHIVED WEBSITES – UNIVERSITY OF WESTERN ONTARIO

Diversity was, in general, harder to find on UWO websites than in the U.S. The language used differed at times, and although Western is just a short drive from the Michigan border and less than 170 miles from the University of Michigan, the difference in the culture of a Canadian university as compared to the institutions in the U.S. was

palpable in visits to campus and to the city of London. In 2000, an August 17, 2000 iteration of the university website displayed information about the “Student Development Centre” at Western, which included Career Services, Psychological Services, and other student services (UWO 2000a). Pertaining to what many consider diversity would be the International Student Services, First Nations Services, Services for Students with Disabilities, and the GLBT Peer Program (UWO 2000a). None of the programs were explicitly racialized.

An October 2, 2000 website detailed the services provided for international students at Western (UWO 2000b). International Student Services included things like English conversation groups and brown-bag lunches in their physical International Students’ Centre (UWO 2000b). They also facilitated a Peer Guide program for international students to connect with more senior students as a resource (UWO 2000b).

In addition to the international students’ peer program, there was a similar program for “GLBT” students. The GLBT Peer Program stood for “gay, lesbian, bisexual, and transgendered (UWO 2001a).” They had a homepage with three main sections, Resources, Support and Education, and Safety (UWO 2001a). The Resources section contained a number of links about clubs, organizations, and support on campus, in the surrounding London community, and informative links about coming out, health issues, and links specific for each population in the GLBT acronym (UWO 2001a).

A June 4, 2001 iteration of the First Nations Services website explained that First Nations Services offered “culturally supportive services and programs” for first nations students attending UWO (UWO 2001b). One such service was the Peer Helper program, designed to facilitated connections to upper-level First Nations students for newly

admitted First Nations students, utilizing traditional teachings of love, truth, wisdom, bravery, respect, humility, honesty, sharing, and caring (UWO 2001c). Peer helpers, in this program, participated in weekly training and group activities, organize social events for new First Nations students, and maintain weekly contact with them (UWO 2001c).

COMPLIANCE

Equity Services is the office at Western that handles compliance with regards to diversity, harassment, and other related issues. A January 13, 2002 website for Equity Services provided an explanation/definition of race, which read:

The term “race” is understood by the University to refer to race, ancestry, place of origin, colour, and ethnic origin. The Ontario Human Rights Code includes religion in its definition of “race (UWO 2002a).”

Additionally, the defined racial discrimination and racial harassment (UWO 2002a). Racial discrimination primarily involved differential treatment with an adverse impact based on racial group membership, and racial harassment is considered “Engaged in a course of vexatious comment and conduct based on a person’s race, ancestry, place, origin, colour, religion, or ethnic origin (UWO 2002a).”

An April 30, 2004 iteration of the Equity Services website included their graphic (UWO 2004a), shown in Figure 5. It also provided strategies for addressing the problems of harassment or discrimination (UWO 2004a). They included direct confrontation, dropping off a copy of the highlighted university policy anonymously to the culprit, write a letter to the culprit, or to come to the Equity Services office to explore other options (UWO 2004a).

A September 12, 2005 iteration of the university website contained a message from President Paul Theodore Davenport, requesting that employees of the university

complete a voluntary, confidential self-report of their demographics (UWO 2005a).

Noting how the university is “supportive of applicants from diverse backgrounds,” the letter explained the compliance requirements under the Federal Contractors Program and that self-reported data would be confidential (except in instances where there is a danger involved), and only used for the purposes of creating and monitoring equity programs (UWO 2005a).

An October 31, 2005 website explained the “diversity initiatives” that came from the Equity Services office at Western (UWO 2005b). All the initiatives were to “achieve employment equity and diversity in the workplace (UWO 2005b).” The website importantly noted that initiatives were inclusive of all employees, and that efforts to recruit and retain applicants “from the designated groups” result in “decisions...based exclusively on merit (UWO 2005b).” Types of diversity initiatives under the “recruitment and retention” category included employment outreach initiatives (targeted recruiting), training and information packages for staff in various units, special financing for recruitment of specific women for faculty positions, and a coordinated central support for recruitment and retention of faculty members, with an emphasis on spousal partner placement and assistance (UWO 2005b). There were also trainings related to professional and career development, including English as a second language courses, educational assistance, leadership skills development, and career assessment and development services (UWO 2005b). A June 9, 2008 iteration of the Equity and Human Rights Services website gave the titles of different trainings, including “Diversity Matters!”, and “Harassment 101 (UWO 2008a).” Finally, the office websites frequently highlight accommodations for disabilities as well as employee benefits for people who

work at UWO. Notably, these are largely not specific to race and ethnicity, and were clearly geared toward compliance with employment equity regulations.

Equity and Diversity Objectives listed on the university website on October 31, 2005 included the overarching ideal to “create an equitable employment system on the exclusive basis of merit, regardless of race, gender, or disabilities (UWO 2005c).” This included efforts to attract the best talent and ensure members of designated groups are “fairly represented” in the workforce (UWO 2005c). Diversity was assessed at Western through the Employment Equity Survey, and the results of this included initiating measures to address underrepresentation, like more pro-active outreach recruitment for people in underrepresented groups. Additionally, Equity Services was responsible for creating an equitable employment system free from harassment, promoting all reasonable accommodations, and generally raising awareness about employment equity and diversity at Western (UWO 2005c). Further, the President’s Standing Committee for Employment Equity (PSCEE) brought together senior administration, staff, and faculty monthly to help implement the Employment Equity plan and meet the requirements of the Federal Contractors Program (FCP), which it became a signatory of in 1988. Periodically, the PSCEE issued reports which discussed Employment Equity and racial representation of employees specifically, but again, this was more a matter of compliance with Employment Equity and had workforce analyses; it did not address student representation in any way. Even in recommendations, where the report suggested making Western a more welcoming community for all, there were no concrete suggestions related to students and no real references to how to make Western more welcoming to students of

color. An April 20, 2008 Equity and Human Rights Services FAQs webpage explains the FCP as follows:

“The Federal Contractors Program (FCP) was initiated by Cabinet in 1986. The FCP applies to provincially regulated employers with a workforce in Canada of 100 or more employees. Specifically, the FCP applies to contractors – those provincially regulated employers which receive federal government goods or services contracts of \$200 000 or more. As a condition of bidding on federal contracts, contractors are required to certify in writing their commitment to employment equity. Contractors that do not honour their commitment to employment equity and are found non-compliant with program criteria may lose the right to receive further federal government contracts (UWO 2008b).”

That FAQ website also explained a difference between employment equity and diversity, where employment equity was considered compliance, but diversity went beyond that (UWO 2008b). More specifically, the website explained the importance of promoting diversity in the workplace by stating,

“Surveys have demonstrated a positive impact on high performance where leadership teams include a diversity of ages, ethnicity, and gender. A diverse workforce also can improve organizational productivity and creativity. While managing a diverse community can be a challenge, there is also potential for great accomplishment. The key for employers is to make diversity an asset within the organization (UWO 2008b).

Also included on the website on October 31, 2005 related to employment equity and misinformation about the program, was a 21-page PDF document, produced by the Government of Canada, outlining the “Myths and Realities” of the Employment Equity program (UWO 2005d). Table 7 below lists all the myths and realities as listed in the document – and although this is focused on staff and not student admissions, the myths and realities are significant in that clear parallels can be drawn with the U.S. Affirmative Action debate and the myths and realities that the University of Michigan promoted in the early 2000s on its website (UWO 2005d).

Additionally, Equity Services produced annual reports that closely correspond to the Affirmative Action reports in U.S. universities. Focused primarily on compliance and dealing primarily with staff and faculty as opposed to students, these reports spoke about harassment complaints and their resolution and discussed the university's compliance with FCP requirements. The 2002-2003 report, for example, discussed an audit done by the FCP which was resolved in December 2002, when Western was notified it had passed the requirements of the FCP audit (UWO 2003a). Interestingly, this pertained to employment only, so nothing similar to the Kentucky Council on Postsecondary Education's desegregation order for UK exists for Western, as no data on student racial background is collected. Further, the code of student conduct, which largely dictates appropriateness of student behavior, contained no references to diversity, racism, race, etc. as of April 17, 2007 (UWO 2007b). Rather, mentions of race, harassment, and diversity, were primarily related to employees rather than students. Additionally, Equity Services also includes accommodations for disabilities, so those reports were also available through its website.

A website iteration from February 9, 2007 discussed the "Engaging the Future" strategic plan for Western, approved by the Board of Governors on November 23, 2006 (UWO 2007a). This report discussed diversity as one of twelve "enduring principles" that the university community and individuals at UWO will adhere to (UWO 2007a). Specifically, the website stated:

"Diversity: as part of our commitment to excellence, we seek to recognize and remove the obstacles faced by traditionally under-represented groups in order to facilitate their access to and advancement at Western. We respect and celebrate the diversity of people who make up our community (UWO 2007a)."

Race was not explicitly mentioned in this definition of diversity, but the rationale provided was more restorative and compensatory. This quote, subsequently, appeared prominently on the Equity and Human Rights Services website, along with a link to the Employment Equity Survey, touted as one of the ways that this office helps foster diversity through the support of Western's employment equity policy.

Toward the end of the 2000-2012 period under study, the language of diversity and inclusion became more prominent on Western's website, with an available "Diversity and Inclusion Plan (2011-2015) (UWO 2017a)." Echoing the quote from the strategic plan, the document went on to say,

"An emphasis on diversity supports Western's aspirations to raise its international profile and expand its efforts within the region and around the world to attract the best talent to our workforce. In a workplace that respects and celebrates diversity, we can draw upon our colleagues' different backgrounds and experiences and address challenges and conduct research in new and innovative ways (UWO 2017a.)"

The plan stated that Western's commitment to diversity began in 1988, when it met its requirements under the FCP, including the development of an Employment Equity Plan, Employment Systems Review, and regular workforce analyses, all of which were required (UWO 2017a). The plan was "guided" by the offices of Equity and Human Rights Services, Human Resources, Faculty Relations, and the Vice Provost (Academic Planning, Policy, and Faculty) (UWO 2017a). The plan stated that Western's commitment to diversity meant to create a culturally-inclusive community through (1) engaging and retaining the best talent, (2) inclusion and connectivity of the community, (3) accessibility and accommodation, (4) work-life balance, (5) a community free of harassment and discrimination, (6) diversity leadership and accountability (UWO 2017a). This multifaceted plan focused exclusively on employment (and not on students), and

lacked any specific references to race, racism, racial harassment, and contains only one reference to a “visible minority group” when discussing the changing composition of the workforce.

CONCLUSION

In all three institutions, from 2000 to 2012 there was a notable shift with regards to race, although the shift varied in degree. At the University of Kentucky, *The Kentucky Plan*, a mandatory desegregation order, provided incentive for explicit, measurable steps toward increasing African American student representation, through the President’s Commission on Diversity (PCD), and later a disappearance of the PCD and softening of the language somewhat mirroring the University of Michigan. At the University of Michigan, an overall focus on the importance of racial diversity in light of Supreme Court cases that put the use of race on trial gave way to a defense of affirmative action in light of the MCRI, and finally a more broad and abstract framing of diversity post-2006 under the newly imposed restrictions of the MCRI. Finally, the University of Western Ontario likely changed the least, in that race was absent with regards to students, and was only invoked when considering compliance with the FCP and Employment Equity guidelines. Much can be said about these general trends.

In the U.S., both UM and UK see the use of race under scrutiny and opposed by many. What would this mean within the framework of colorblind racism? According to the view put forth by Bonilla-Silva regarding colorblind racism, opposition to race-based policy constitutes discrimination and colorblind racism. The examples he employs to explain abstract liberalism, the major frame of colorblind racism, often revolve around affirmative action; how many whites can claim they support equal opportunity and that is

why they oppose “racial preference”. In this way, the prevalence of arguments against affirmative action, one could argue, are based on the tenets of colorblind racism, and adjustments in governmental and university policy to accommodate this environment represent the institutionalization of colorblind racism. Thus, the watered-down nature of the diversity paradigm is implicitly supportive of racial inequality within organizations by allowing racism to be overlooked, in favor of definitions of diversity that include factors like “pet ownership” (Bell & Hartmann 2007; Bonilla-Silva 2018; Embrick 2006). Thus, as H₂ suggests, diversity programs that lack specificity will be less effective. It appears, the specific requirements that stemmed from *The Kentucky Plan* produced more effective programs than the programs that were restricted in Michigan by the MCRI, as measured by black student enrollment and completion numbers.

How does the Canadian institution fit in this? Multiculturalism, the heralded position of Canada, on the surface appears to be very contradictory to colorblindness. Colorblindness appears to presume sameness, while multiculturalism encourages the celebration of differences and uniqueness. Recall, however, that the colorblind position presumes a decline in racism – often, in fact, leading to the argument that talking about racism and searching for the significance of race is what continues to make racism a problem. The position of multiculturalism, it seems, also presumes a decline in racism. This is evidenced by the fact that Canadian universities on the whole, and the University of Western Ontario specifically, do not see a need to collect data on students by race. In fact, the only race data that is collected is what is required through the FCP and Employment Equity programs. So while colorblindness presumes a decline in racism, so might multiculturalism, perhaps declaring “mission accomplished” too soon. While

appearing to be color-conscious and contrasting colorblindness in that significant way, multiculturalism in Canada also obscures racial inequality through the surface appearance of color-consciousness but the absence of any substantial focus on race. Thus, the Canadian system of multiculturalism, in contrast to the colorblind racism of the United States, is a *racism-blind multiculturalism* that, for black Canadian college students (and other underrepresented minority students), cloaks their experiences behind the veil of multiculturalism.

Interestingly, the language of race is illustrative of the fact that there is power in the dominant group going unnamed (e.g., the transparency of whiteness (Haney-Lopez 1996)). For example, opposition to diversity initiatives is often cloaked in language of fairness and justice; explicitly naming race and talking about race are viewed as problematic by those who advocate colorblindness (Khalfani 2006). Colorblindness, however, preserves the racial status quo and supports continually increasing levels of racial inequality (Bonilla-Silva 2018). Colorblindness feels better, though, because whiteness goes unnamed, so policies appear to be fair on the surface. For example, a university like Kentucky State University is considered a Historically Black College or University (HBCU), but the University of Kentucky is considered a University (and not often called a Historically White College or University). Some criticize HBCUs for being exclusionary, and while this is not the case, their name creates vulnerability to this criticism. In this way, policies that are explicitly designed to address racial inequality can be opposed on the grounds of fairness because they necessarily explicitly identify racially marginalized groups, but policies that appear to be colorblind can easily advocate and support white racism in the U.S.

So the watering down of diversity initiatives constitute an institutionalization of colorblind rhetoric, such that those policies that lack specificity will, as a result, contribute to racial inequality. Colorblind diversity initiatives, because they do not contain the necessary explicit focus on racially marginalized populations, serve the same functions as colorblind public policy to preserve white structural advantage, and in Canada, racism-blind multiculturalism serves the same purpose, but is presented in a different packaging.

See Table 8 for a summary of results thus far.

Table 6, The Kentucky Plan, 1997 – 2002 Summary Table

Commitments	Objectives	Action Plans
The Council on Postsecondary Education and the institutions are committed to increasing the proportion of Kentucky resident African American undergraduate students enrolled in higher education.	Institutional objectives include percentage targets for increased African American undergraduate enrollment. The number for UK is 7.0% (from 5.7% in 1995)	<ol style="list-style-type: none"> 1. Develop additional strategies to increase African American student enrollment. 2. Expand strategies to provide financial aid for qualified African American students. 3. Create a more hospitable campus climate.
CPE and the institutions are committed to increasing the retention of Kentucky resident African American undergraduate students and the proportion of graduates to the same level of retention as that of Kentucky resident white undergraduate students.	Institutional objectives include percentage targets for retention of Kentucky Resident African American first-year students, fall semester to fall semester, from 72.9% (1995) to 77.6%, and Kentucky Resident African American Undergraduates from 65.6% (1995) to 66.6%.	<ol style="list-style-type: none"> 1. Develop strategies to increase and support enrollment and retention gains. 2. Increase funding of Learning Services Center for additional staff and expansion of the 1. Minority Freshman Summer Program.
	Improve the Kentucky Resident African American Students Baccalaureate degrees awarded from 34.7% (1995) to 57.5%.	<ol style="list-style-type: none"> 1. Re-examine and strengthen activities of the Office of Minority Affairs to improve the graduation rate of African American students.
CPE and the institutions are committed to increasing the proportion of Kentucky resident African American graduate students enrolled in higher education.	Improve the Kentucky Resident African American Graduate Student Enrollment from 4.7% (1995) to 5.3%.	<ol style="list-style-type: none"> 1. Intensify efforts to recruit, support and retain minority and female students in all graduate programs, particularly in those fields where they have been traditionally underrepresented. 2. Direct focused activity on the development of competitive proposals for external support of minority graduate students and post-doctoral fellows.

Table 6, The Kentucky Plan, 1997 – 2002 Summary Table (continued)

Commitments	Objectives	Action Plans
CPE and the institutions are committed to increasing the number and proportion of African American faculty and staff employed by institutions of higher education.	Improve African American employment for executive, administrative, or managerial positions from 3.6% to 5%, for faculty from 3.6% to remain over 3.0%, for professional non-faculty from 3.6% to 5%, for secretarial or clerical from 11.5% to remain over 8.0%, for technical or paraprofessional from 11.8% to remain over 9.0%, for skilled craft from 12.1% to remain over 10%, and for service and maintenance from 40.9% to remain over 24%.	<ol style="list-style-type: none"> 1. Establish a visiting professorship for minority faculty; contact potential faculty directly to determine their interest; maintain regular contact with minority organizations; routinely advertise positions with minority and women's organizations and encourage their application. 2. Continue an employee education assistance program; continue to utilize the availability of local services to recruit minorities; and continue to post at conspicuous places all required notices and a statement of equal employment policy.
CPE and the institutions are committed to increasing the number of African American applicants to, enrollments in, and graduation from first-professional programs in dentistry, law, and medicine.	Increase Kentucky Resident African American Professional Schools (Dentistry, Law, and Medicine) applications, enrollment, and degrees to from 5, 4, and 3 to 9, 5, and 6, respectively.	
The Governor is committed to ensuring the appointment to and representation of African Americans on CPE and on each board of trustees or regents		

Table 7, UWO Employment Equity Myths and Realities

Myth	Reality
Employment Equity means treating everyone the same.	Employment Equity means treating every one with fairness, taking into account people's differences.
Employment Equity results in 'reverse discrimination'.	Employment Equity means everyone has equal employment opportunities—not just a select group. Employment Equity is about eliminating barriers faced by certain groups in society.
Employment Equity is all about quotas.	Quotas are explicitly prohibited by the <i>Employment Equity Act</i> . Employment Equity is not about quotas ... it is about goals—flexible, rational targets that employers can use, like all business goals, as planning and evaluation tools.
Employment Equity means hiring unqualified people.	Employment Equity means providing all qualified and qualifiable individuals with equal employment opportunities—not just a select few. The purpose of Employment Equity is to hire qualified candidates; it is not to hire unqualified workers just to reach some numerical goals.
Employment Equity threatens the seniority principle.	Employment Equity and seniority share a common goal: to make sure that employment opportunities are fair, without favouritism or discrimination.
Employment Equity means lowering job standards.	Employment Equity examines job standards to ensure that job criteria are realistic and job related.
It is too difficult and expensive to accommodate persons with disabilities.	It generally costs less than \$500 to adapt a workstation to accommodate a person with a disability. The qualified and qualifiable individuals include persons with disabilities.

Table 7, UWO Employment Equity Myths and Realities (continued)

Myth	Reality
Employment Equity can only be implemented in a healthy economy.	Employment Equity is a policy for both good and bad economic times.
Workplace equality should be left up to market forces; there is no need to intervene.	Employment Equity is required to complement market forces. Market forces do not work in favour of equality for all groups in society.

Table 8, Summary of Impact of Contextual and University Factors on Black Enrollments and Completions

University Variables	<u>UK</u>	<u>UM</u>	<u>UWO</u>
Elite University	No	Yes	No
High Endowment	No	Yes	No
Specific diversity strategies (H ₂)	Yes	No	No

Figure 5, UWO Equity Services 2004 Logo



CHAPTER FIVE: THE ORIGINS OF IMPLEMENTED DIVERSITY PROGRAMS

This study includes analysis of 21 interviews at the three universities being studied in an effort to understand the source of implemented diversity programs (with the hypotheses that top-down programs would be less-effective than bottom-up programs), and ultimately also evaluating the language used for specificity and looking for the frames of colorblind racism. A discussion of the interviews at each university follows, with a conclusion tying themes together and making connections across institutions.

RESEARCH DESIGN

I interviewed key personnel in each institution. Interviewing personnel helped establish whether diversity strategies were understood and internalized. In addition, employees could speak directly to the implementation process of these diversity programs and testify to any resistance or perhaps what the impetus for changes in diversity strategies were. Interviews were semi-structured and participants were encouraged to speak about whatever they desired concerning diversity in the organization, but were guided to important topics or ideas as needed.

The semi-structured interview format allowed for probing questions to investigate important information that may present itself during the interview process. The interview guide was structured such that the first seven questions concerned the respondent's background. These questions served to provide a better understanding of the respondent's perspective and elucidate his or her prior exposure to people of different races and interracial contact they had in the past and currently. Specifically, question two goes into neighborhood context, question three concerns educational background, and question seven asks about the nature of the respondent's socialization with co-workers.

The second part of the interview guide (questions eight through fourteen) deals with diversity at the organization. Question eight compares the official organizational stance on diversity and how that compares with the respondent's. Questions nine and ten deal with changes in diversity strategy since the year 2000, including who the key players were and how the strategy changes came about. Question twelve is specific to minorities within organizations and their perceptions, while questions eleven and thirteen deal with the effectiveness and respondent satisfaction of diversity programs and policies. Finally, the interview guide ends with an open-ended question asking for any concluding questions or comments.

POSITIONALITY

Importantly for these interviews, it should be noted that I am the son of a brown-skinned Tamil Indian father from Malaysia and a 3rd generation Dutch-American mother from Michigan. This is particularly relevant in terms of my phenotypical appearance. Throughout my life, I have been familiar with the question, "What are you?", and have been mistaken for a number of different races or ethnicities. Generally, however, I tend not to be viewed as white, even though my mother is. As a result, my own appearance and the race that other people perceive me to be impacts their comfort level in talking about race with me, and likely impacts what they may say to me, or how they may say it. Unfortunately, I lacked the resources to train individuals and do race-matched interviews, which is often considered a "best practice", however there were only a small number of cases where I could feel the impact of my race with a white interviewee causing them some discomfort. Granted, there may have been cases where the impact was not something I could feel, but life experience and extensive interactions with white

Americans who live relatively segregated lives has resulted in my being somewhat well attuned to the racial discomfort my presence and conversations can cause some white people. While there was some perceived discomfort with white interviewees on rare occasions, often with people-of-color who I interviewed, I gained credibility and trustworthiness partially by virtue of my physical appearance and, I believe, the perception of our shared experiences. While I am unable to quantify or even confidently determine the role that my race and phenotype played in the qualitative research, it is important to note that it existed, and that I was deeply conscious of it during the interview process. As a result, as I discuss the interviews, I include commentary relevant to my perception of the interviewee's level of comfort with me based on my race that I recorded in research memos, as well as times when my age, gender, or other factors may have played a role.

PARTICIPANTS

At each university, I conducted an interview with:

- President, provost, or other top officials
- Admissions professionals
- Human resources professionals
- Equal Employment Opportunity (EEO), legal, or diversity professionals;
- Black and white employees or former employees
- Black and white students or former students

Note that for some individuals, they fit multiple categories (e.g., a participant who was a student between 2000 and 2012 and is now employed by the university). Additionally, the EEO officers or former officers at UWO that I reached out to did not agree to be

interviewed, however a faculty person who was highly involved in diversity discussions and issues at UWO served this role for that institution.

A challenge with this type of qualitative research is a threat of social desirability effects, where individuals give the answers they perceive to be correct but which may not accurately measure their feelings. Indeed, people who oppose affirmative action but work or go to school in an organization that is largely supportive of it may have learned the rhetorical and linguistic acrobatics necessary to escape any opposition to such policies that could be interpreted as racist (Bonilla-Silva 2018). To avoid this issue, probing questions (see Question 6) were tactfully posed in an effort to understand. Additionally, since the period covered in the study was 2000-2012, I focused on interviews with employees who had been with their respective universities during that timeframe and/or former employees who were with the company during significant portions of that timeframe.

INFORMATION COLLECTION

Gaining entre into universities was somewhat of a challenge for the top positions (presidents, provosts, etc.). I was able to secure interviews with top positions based on personal connections, campus visits, and good fortune. Those interviews were typically shorter than others as the presidents, provosts, and vice presidents' time was at a premium, but I was able to glean useful information from them. I found contact information for individuals using university websites primarily, but also through LinkedIn (searching for people employed by the universities) and general internet searching.

Another caveat pertains to interviewing university elites. Elite interviews pose a number of challenges including gaining access and analyzing the interview results (Merton, Fiske & Kendall 1990). It is important to analyze the response and recognize it represents only the interviewee's definition of the situation (Merton, Fiske & Kendall 1990). Additionally, interpreting the subtext of a response poses challenges that warrant careful consideration. The distribution of individuals targeted for interviews throughout the organizations is important here to provide a more robust and complete picture of the situation from the different perspectives of differentially positioned social actors. As a comparative study, individuals were targeted based on rank within the university or organization to ensure appropriate comparative data was obtained.

PROCEDURES AND INFORMATION ANALYSIS

A total of 21 interviews were conducted in-person (10), via skype (9) or phone (2) with individuals at the three universities between 2015 and 2017. Because the time period under study is 2000 – 2012, the length of the data collection period should not be viewed as problematic as the data were not impacted by subsequent events. Gaining entry in qualitative research (and dealing with the Institutional Review Board) are often time-consuming processes, and this study was no different. The semi-structured interview guide is available as the Appendix. Individuals were identified and selected to be interviewed based on searching university websites for the desired positions/ranks, looking through archived websites and identifying key actors in the debates, and sometimes by the recommendations of previous interview participants, although all participation remained confidential.

Upon conducting interviews, I kept detailed field notes. In addition, I made memos categorized as observational notes, theoretical notes, and methodological notes (Corbin & Strauss 2015) while conducting my analysis. I coded the interviews twice. First, I used the frames of colorblind racism identified by Bonilla-Silva to evaluate whether they appeared in the diversity discourse at the universities (Bonilla-Silva 2018). The process of looking for the frames yielded little in my interviews, except for specific respondents, but it allowed me to comb through the data and stay close to it. Additionally, I paid close attention to the specificity of the language used in the discourse; Bonilla-Silva notes a “rhetorical incoherence” characteristic of colorblind discourse, and if individuals affiliated with these institutions employed a similar tactic, it would suggest less meaningful and impactful diversity initiatives (Bonilla-Silva 2018). Next, I conducted a more grounded approach, utilizing focused coding (Charmaz 2015) to explore any emergent themes from the data. Allowing for emergent themes and ideas helped guard against any preconceived bias as to what the data would say that a rigid coding schema may have led to, opening up the researcher to more information and insight to be gleaned from the data.

In order to protect the confidentiality of respondents, they are described by their race and general position level. In some cases, the phrase “person of color” is used rather than identifying a specific racial group, which would likely eliminate this person’s confidentiality. Further, because of the small numbers of people of color and women in higher positions, and because the focus of this particular study is on the racialized aspect of diversity, gender neutral pronouns are used in reference to the respondents. Due to the inadequacies of the English language and lack of a gender-neutral singular pronoun, the

singular “they” is used in these instances. Finally, when I transcribed the interviews I omitted “um”, “uh” and other fillers from the transcription for readability purposes and inserted “...” in their place. Similarly, any redundant words or stuttering were eliminated for clarity

INTERVIEWS – UNIVERSITY OF KENTUCKY

Interviews with individuals at UK revealed a number of themes. The frames of colorblind racism were not common among these themes, however the rhetorical incoherence seemed to emerge in some of the broader definitions of diversity, which were broad at times, to the point of losing meaning.

DEFINITIONS OF DIVERSITY

Diversity at UK was identified in two different ways, primarily. One way was diversity being defined as not racial or as “more than” *just* race. The second was where diversity was thought of as a numbers game, particularly related to the number of African American students.

For example, scholarships that were once restricted to students of color had opened up to include all students at UK. A diversity professional at UK explained that when the UM supreme court cases were happening in the early 2000s, UK administrators decided to adjust UK to comply with a new reality where race-based admissions and scholarship decisions would be prohibited. A former top administrator, who identified as a person of color, explained:

You know, so ... there was something that was specifically ... targeted, a scholarship that was only targeted for say African American students or Hispanic students ... that was not permissible under the *Grutter* decision and ... interpreted legally and therefore ... all of those programs had to be ... expanded and ... more criteria such as the economic ... hardship and so forth. First generation, those criteria, so there were many such changes being already adopted and as a result of

that ... the ... recruitment successes varied. In fact, there was a significant drop in the number of African American students enrolled in undergraduate [one year in the mid-2000s], and, that really created ... a tremendous ... both disappointment at one level and I think anger on the part of our African American faculty and staff that the University was backing off of its commitment to ... including more African Americans and so it was a very tense situation and ... so we needed to do a lot of ... trust-building even as we ... put in place, a more aggressive recruiting process both for faculty and for students ... and you know within the legal bounds ... but at the same time as I said, they had the task of trying to rebuild or build ... the minority community on campus and off campus and in the legislature and so forth.

A former African American diversity professional shared a similar account of the same time period:

Man, you manage your way through it. As, when you're confronted with issues that obviously ... influence what you do ... then you have to figure out, now how best do we manage? What we know is that we ... want to continue to build our diverse student population. We know we want our students to succeed ... so all of those factors. That we really do want to pay attention to these students from the underrepresented areas of this state ... the rural areas as well as some of the metropolitan areas ... so you have those things that you know and now here are the parameters in which you have to work, ok? How do you best manage it ... did we do well? No, not at first ... I recall that ... in the newspaper there was a headline that says, "UK Drops 40% of first year minority students" [laughter], you know, or reduces 40% ... and that meant that the transition was not handled as well as it should have been. There were some things that didn't happen correctly there ... but that was very quickly corrected because the next year we were at 112%, so we really weren't at 112, we were just making up for the loss for the year before.

Corresponding with this pattern, at UK, the definition of diversity then broadened, to the point that a senior African American diversity professional explained diversity at UK as follows:

Well you've heard it, I mean, you've heard people say a lot of things and ... diversity is just that. It's that University of Kentucky is, in essence it's a universe, and we have people ... from all backgrounds, all beliefs, ... all of those characteristics that make us individuals, and you'll find them right here. And, my thinking is diversity in its purest sense is saying that we all bring something different to the table. And what is it? What is it that we bring? And can we bring it and can others appreciate us for who we are ... you know for our perspectives, for our lifestyles, for whatever it may be, for our background ... and our opinions

and our beliefs, can others appreciate who we are as opposed to not appreciate us for not being like who they are [laughter], or who this person is ... no two of us are gonna be the same. We may be very similar in ways but we're not gonna be exactly the same, and so diversity in its purest sense is the differences ... that exist among the people that make up ... a common organization, and that's what you find here on this campus.

Striking about this definition is the lack of description. It gets as specific as “backgrounds”, “beliefs”, “opinions”, “perspectives”, or “lifestyles”, but does not speak to race, gender, or other axes of differentiation. As a result, it becomes challenging to use this definition of diversity to discuss or address retention and graduation rates that vary by race; indeed, these problems do not appear to fall under the purview of this type of “diversity”.

Another African American top diversity professional gave a definition of diversity that follows:

Diversity, to me, is everything that we are, each individual, together with all the other individuals and who they are. Diversity is so complex that you can't define it simply to be one race or one ethnic group versus another, because that's not diversity it's a two-dimensional thing and diversity is a multi-dimensional concept. Because when you think, “what does diversity mean?” it means that you've got all different kinds of people and circumstances from all different kinds of backgrounds and abilities and experiences and ways of going about solving human problems in our midst. So diversity is actually easy because it's there and you don't even have to work for it. The thing you have to look at is, well how diverse are we? *Because you can have an all-white institution and still claim that there's diversity and it would be true.* [emphasis added] Because people would come from different geographical backgrounds, religious backgrounds, political backgrounds perhaps, ability, the whole nine yards. But, I think that diversity we should *never try to escape the ethnic backgrounds of people* [emphasis added] because for me, that's what brings the difference. That's what brings the different ways of looking at human problems into a situation.

Interestingly, this definition fits with a broadened concept of diversity, especially in explicitly claiming that an all-white institution can have diversity, but somewhat contrarily returns to the importance of “ethnic backgrounds” as an aspect of diversity.

The language of race is still avoided here, aside from the initial claim that you cannot simply define diversity as “one race or one ethnic group versus another.” If ethnic background is differentiated from race, then, it seems the idea of ethnicity and culture broadens diversity to a more global, international concept. This was invoked, at times, in all three institutions in reference to preparing students for a competitive global economy. Considering ethnic backgrounds as opposed to race can lead to orienting diversity work more toward celebrating cultural heritages rather than exploring systems of oppression, inequality, and social justice (like admission and graduation rate differences). This is indicative of Fraser’s critique of recognition versus redistribution (1997).

Diversity was also described as being about numbers generally, and more specifically, numbers of African American students. A black admissions professional explained:

Diversity at UK ... is making sure we have ... equitable numbers; it’s a numbers game at UK ... long as we got ... enough students that we’ve reached parity at UK, we’ve reached parity. And in Kentucky we’ve got maybe 7% black population, we got that, that’s been a goal, now we’re at that, we’re beyond that, so now ... if we’re not careful they’ll just relax and say, “Well”, you know, “we’ve reached uh, reached our max right here. We’ve reached the zenith, we’ve reached the pinnacle right here.” ... we’ve reached parity and we’re doing a little bit better than parity ... with black students, we don’t have to work as hard to maintain that ... That’s what Lyman Johnson said, “Don’t let the wagon go back down the hill.” ... once you reach a certain level, you gotta be careful stewards, you don’t let, you don’t fall back to where you were.

Still another African American diversity professional at UK was critical of the use of the word *diversity*, stating:

I don’t know yet if there’s an operational definition of what is diversity. You know I go to a few meetings and you hear people talk about the ... it’s such a slippery kind of amorphous understanding that ... you hear the provost talk about diversity meaning not enough men in the program. You know? So, I mean programs like nursing, you know. . . It’s mainly ... you can uphold white supremacy and support diversity.

Some of the criticisms of diversity and of the diversity initiatives traced back to the history of UK. For example, a former top administrator (who is a person of color) recollected the legacy of Adolph Rupp, the former basketball coach who was the “last one to integrate a basketball team in the south.” This, they argued, was one aspect that contributed to the perceived tepid advocacy for racial diversity generally, and for African American enrollment, retention, and hiring specifically.

DIVERSITY INITIATIVES

Respondents discussed several diversity programs and initiatives in the interviews pertaining to UK, with their sources identified. An African American admissions professional, who saw diversity as a numbers game, noted a shift in recruiting efforts to include more out-of-state recruiting at nearby cities with large black and Latino populations, as well as a holistic review that was somewhat prompted by the *Gratz* and *Grutter* Supreme Court cases. A high level African American diversity professional noted:

And so then as you looked toward ... a student population to admit students, rather than looking at ACT and GPA and then what's your race if it you know and make the decision made, instead of that, then it was “Ok give me a number of factors. ... Let's look at a number of factors, let's look at ACT, let's look at GPA, let's look at ... honors and awards, let's look at ... perhaps geographic areas, let's look at ...” so in other words it expanded ... It expanded and may perhaps have you to write an essay to tell me how you contribute to this institution's diversity goals. And so it expanded.

In terms of the geographic shift in recruiting efforts, a former top diversity professional explained:

I took a look at the demographics of Kentucky and realized that Kentucky had about 4,300,000 people and [in 2008] about 7.7% were African American or black. And if you cull away the college-going age from that population, you have just a handful of African Americans. Then I looked at the list of higher education

institutions in Kentucky, and there are 68. So if they're all trying to increase diversity, focusing on African Americans from Kentucky, somebody's not going to have very much success.

This shift in recruiting efforts made sense under these circumstances, and if diversity was conceived of as a numerical goal. The numerical goal was rational in light of specific targets that the university committed to in response to *The Kentucky Plan*, discussed in the previous chapter, and described by a senior African American diversity professional as follows:

UK at that time was under what was called the Kentucky Plan, I don't know if you've heard about that but, the legislature, I think through the leadership of ... CPE developed this Kentucky Plan that really addressed the legacy of discrimination and segregation in higher education and ... it was documentable ... so ... it wasn't difficult to prove that, but the Kentucky Plan was all about remediation of that. The problem of course is the goals were, I think, minimal ... so over the course of like a decade or so it was determined by somebody that ... they met the goals, ok? So, *picked the foot off the necks* [emphasis added]. And the University was left to its own wherewithal as to how they would address issues of race discrimination ... but you know the whole evolution from that era into the ... era of diversity and inclusion was just, just a fast one.

Critical of more recent efforts, which the respondent referred to as the “era of diversity and inclusion”, this respondent reiterated several times during their interview that the most progress was made during the external mandate and decreased when the Council on Postsecondary Education, “picked the foot off the necks,” of UK administrators in regards to desegregation. This corresponds with the finding that absent legal accountability, diversity and affirmative action policies are largely ineffective (Dobbin, Schrage & Kalev 2015).

An external mandate can generate diversity initiatives, and also provide accountability for the efficacy of those initiatives. The sources of initiatives in response to external mandates, then, are often the top-level administrators of a University. One

former top administrator who was a person of color took some level of credit for the success of diversity initiatives and the progress made during the time period from 2000-2012, explaining:

I think ... the most effective ... tool for ... paying more attention to diversity and inclusion was really the bully pulpit. ... I think [top administrators] embraced the idea of making the University of Kentucky far more inclusive as an important coming-of-age and important sign of the university joining the ranks of ... national flagships such as ... the ones in the upper Midwest and so on, and so it really ... I think ... we made that a priority because ... it was the correct thing to do at the time, and not simply taken from the mandate perspective ... but we changed that to, "Gee, why wouldn't we want to do more? Particularly given our history and given ... the state's population base and ... what ... other universities we compare ourselves with are doing." And so in that sense I think, the successes, I know we had tremendous success and not only in terms of student improvement but also in terms of diversifying the faculty if you look at the numbers ... in the 2007 – 2012 range, you will find that ... there was a significant uptick ... that, you know, has been flat for the previous 15-20 years I think, that came not so much by any specific intensive programs or mandates as much as ... embracing it as a campus priority ... it was empowering and enabling ... for good things to happen and things did happen as a result.

Another, former African American top-level diversity professional, also explained why they believed it was top administrators who would be change-agents at the University of Kentucky, specifically. They noted:

Well I think that, you know, when an effort is first born, just like a child, it takes a while for it to become rooted in the minds of everyone. And so that's where you rely on leadership for guidance, and when the leadership says, "You know, this is Kentucky, we're land-locked ... we want to become great, but the world doesn't know we're here, or the world has the wrong impressions of who we are, how do we change that?" And one great way to change it at an institution of higher education is through the curriculum, because when you think about the population of Kentucky, with its 4 million, 4.3 or 4 million people, and having less than 8% black and less than 3% Latino and less than 2% Asian, the average white Kentuckian could go his or her whole life long without any meaningful engagement with a person of color. So how are we gonna educate all these Caucasians to have an appreciation about diversity? They never have to think about it in terms of ethnicity and geography and so forth. And that's where the leadership comes in to say, "We have to change the curriculum. We've gotta change student activities, we've gotta change who we bring in so we need to bring

in more people from different places, students faculty and staff.” So I think that's how it happens.

This perspective, shared by a few individuals who were top administrators at UK during the time period from 2000-2012, is contrary to the expectation that bottom-up social-movements would be more effective than top-down movements (H₃ and H₄), however the external mandate that came in the form of the *Kentucky Plan* forced the hand of the top administrators to come up with initiatives and mandated that those initiatives be effective based on provided metrics, which align with how success is defined in this study in terms of black student enrollment and retention. This type of accountability likely causes administrators to be more innovative and aggressive in their diversity initiatives.

Much was said about the top administrators and their advocacy of diversity. One white human resource official noted that during the administration of the previous president, Lee Todd Jr., not much was said about diversity (although, they noted, that administration hired the first V.P. for Institutional Diversity), but the current president, Eli Capilouto, talks about diversity regularly. “No matter what the speech is about that seems to find its way in there”, they noted. This respondent also discussed one of the more abstract diversity initiatives focusing on faculty and staff, a vague and difficult-to-describe week-long optional training:

And people will talk about there's one exercise that's kind of like the walk of life or something and, and people who think that, somebody like me, who thinks they came from middle class and, and or, and, it just makes you realize, you know, where you are as far as that. . . Yeah, it's just, you know, I mean it makes you truly stop and see things in a different perspective so I think that's something that, that we started offering here in, in more of a self-actualization, realization, so it wasn't like some major thing we said that we're going to go out there and we're going to do or whatever.

Note that unclear language, fillers, and redundant words were left in the previous quote to illustrate how challenging this specific training session being described was to understand.

During this interview, at times, I was acutely aware of my own identity as a racialized person-of-color. The interviewee was clearly uncomfortable on specific occasions with questions related to race, from overstating the racial diversity in their hometown, to the challenging rhetorical incoherence characterized by the quote above. Still, these programs that lacked specificity also lacked metrics for evaluation, and there was no systematic way of evaluating the program described above aside from how many people had completed it. Importantly, this was after 2008, when the desegregation mandate of the *Kentucky Plan* had ended.

Finally, one other theme that emerged at UK was the need for diversity initiatives to benefit white students, aligning well with Derrick Bell's idea of interest convergence (Bell 1980). An African American top-level diversity professional argued for a need to orient diversity initiatives toward white people in an effort to educate them, so that they would see the importance of diversity:

The thing that I think we could do more of is to be more aggressive, to be more assertive in our efforts, and to find ways to make people even more open to the notion of diversity because it's still a predominantly white state. And we have to try harder to make Caucasians understand that diversity is just as important to them as it is to people of color and not allow too many Caucasians to say or think "Diversity, well that's, that's their issue that's not my issue." It's your issue too. So I think that we need to do more to have whites understand, "This is my issue as well."

Beyond educating white students, faculty and staff, respondents also spoke to diversity programming that benefitted the entire community and the need to provide, for example, a curriculum with sufficient diversity to prepare students for a global competitive market.

This type of advocacy fits with Wilson's idea of advocating for universal policies because, "a rising tide lifts all boats (Wilson 1987)", but more than being universal policies, they must be policies that clearly benefit the dominant group. Further, to critique the boat analogy, a rising tide does not bring all boats to the same level; those that are partially submerged continue to be submerged, and those that are gliding effortlessly atop the water continue to sail smoothly whether the tide rises or falls. So universal policies are a poor remedy for social inequality, or for racial inequality at colleges and universities.

INTERVIEWS – UNIVERSITY OF MICHIGAN

Some similar themes emerged at the University of Michigan as compared to the University of Kentucky, but there were two other major factors as well. First, one respondent who was fiercely opposed to affirmative action employed two of the frames of colorblind racism a number of times (abstract liberalism and minimization of racism). Secondly, the Michigan Civil Rights Initiative was discussed extensively, often as an obstacle, but sometimes more critically by respondents who viewed the MCRI as an excuse that UM was using to not do the necessary work to admit and retain black students.

COLORBLIND RACISM

One respondent, a white former professor and vocal opponent of what he referred to as "racial preference", employed the frames of colorblind racism extensively in his remarks. In regards to his opposition to what he considered to be the UM community's nearly-ubiquitous position on affirmative action, he noted:

I had occasion to say again, repeatedly and in public prints and in correspondence within the university ... that we're making a big mistake to ... abandon our

commitment to racial equality in the interest of inclusion. That's what it was, that's where the conflict arose. I mean I took the notion of the equality of the races to be fundamental, and that means treating people equally, not preferentially ... From ... the University's point of view, "Well we can just overlook a little bit of inequality, of the treating of things, overlook the sacrifice of the principle of equality in the interest of getting more minority students and faculty." So ... it became a sort of running argument between me and my colleagues.

He also repeatedly discussed how he was a "left-wing liberal" on the political spectrum, but in some notable cases (e.g. free speech rights of white supremacists and affirmative action), he found himself agreeing more with conservatives. This technique seemed to correspond with the discursive buffers of, "I'm not a racist but..." or "some of my best friends are black..." that Bonilla-Silva describes as common in post-civil-rights discourse (Bonilla-Silva 2018).

Undergirding his position was the idea that racism was much worse in the past and had decreased significantly (the "minimization of racism" frame), to the point where he seemed to believe that absent affirmative action, all races would be treated equally in admissions decisions at Michigan and was blind to how whiteness may positively impact some applicants, what Haney Lopez (1996) refers to as, the transparency of whiteness (Bonilla-Silva 2018). So while affirmative action advocates explicit use of race, opponents often assert that it is unfair because it racializes a process that is otherwise colorblind, an assertion that is verifiably incorrect. However, because admissions processes absent affirmative action do not name whiteness, they are viewed as colorblind and thus as fair processes.

DEFINITIONS OF DIVERSITY

At UM, the view of diversity as race and numbers was overwhelming. While at UK there were slightly more instances of diversity being viewed as non-racial than being

viewed as racial, at UM there were over twice as many instances of diversity being viewed as racial than non-racial. Specifically, race was viewed frequently as the number of African American students, faculty, staff, or administrators.

Some people acknowledged the numbers game, and some people saw it as particularly problematic. A former black high level administrator noted:

So it's great to say, "Oh my numbers, I have x amount of whatever demographic you have here." But if you don't know their unique needs, if you don't appreciate what they really are bringing to the table, then you're not creating opportunities for them to rise and to shine and to contribute. You're satisfied that they're just there. You got them in the door but you're doing nothing to facilitate that sharing, that interaction, that development. And you're not interested in their experience, because what you've done is to check the box for the institution that, "I got them in the door," but you're not engaged and interested in how they experience you once they get here!

This respondent went on, highly critical of the efforts at UM toward creating a more hospitable climate for marginalized individuals, saying:

And that the institution refuses, because I know it can, but it just refuses to do the hard work it needs to do to make, to go from aspirational to reality, right? ... So, back to your question of diversity ... because there's no real commitment to do the hard work, then we get watered down versions of diversity, and it becomes diversity of thought.

This response problematizes the numbers game, and the respondent presents an even worse case scenario, in their view, where diversity no longer refers to race or gender, but simply becomes related to thought. For this respondent, diversity should mean race, gender, or other factors of demographic importance where lines of inequality can be drawn.

A former white female top administrator provided some reasoning for the shift away from exclusively racial definitions of diversity, discussing the history of the state and the institution and the legal and political climate:

I mean particularly during the, during the supreme court, we were extremely focused on African American opportunity. And, part of it has to do with the demographic of the state. You know, part of it has to do with the history of the University, which has always been open, to all ... all racial and ethnic minorities. ... You know, after the affirmative action decision, I think it's become more nuanced.

The nuance she refers to, as she describes later in the interview, includes broadening the conversation to include Arab American populations and people with lower socioeconomic status.

The College of Law was central in the *Grutter* case, and one of their white professional staff shared the importance of considering race, or using diversity as a proxy for race:

The University of Michigan ... says that diversity ... should be broadly defined, that we don't merely mean racial diversity, that we mean ... religious diversity, we mean diversity of backgrounds, we mean socioeconomic diversity ... and I do think that it's true that both of those things are important and that the University thinks that's important, but I also think personally, and *I think the University really means racial diversity more than anything* [emphasis added] like, I think that's the right way to think about it because I think racial diversity has a very different history and meaning ... in our country than any other kind of diversity ... I mean, I love to get math majors at the University of Michigan law school, but they are not being in any way discriminated against, historically.

The respondent separates from the official UM stance of a broad diversity definition, to what this respondent believes, and what they believe the University's real position is.

The respondent jokes about a dilution of diversity to include meaning math majors, but they also point to the importance of addressing *historical* discrimination through admissions policies that consider race. Here, although restricted from considering race, using diversity as a code word for race is the recommended tactic to continue to have adequate specificity under the guidelines of the law. On the other hand, diversity is not universally understood to exclusively mean race, and cannot be used in that way under

the legal constraints, so this level of specificity is essentially the best that can be done within that legal environment.

A white professor spoke about their understanding of the university's definition of diversity as follows:

It's a big place, it means a lot of different things to different people, but if you speak about what the institutional investment and commitment has been, during that period especially, 2000 to 2012, it was to ... foster and promote ... racial/ethnic diversity and much less social class diversity, I mean that was kind of in there but not very loud, especially at the beginning of that period ... especially in the student body ... and to facilitate some kind of ... development of a citizenry that was serious about understanding intergroup relations and diversity. So ... I would say there was throughout that period some degree of institutional commitment to that whole picture ... wasn't always clear about faculty and staff, that was always said but not so loud, it was really focused on students.

In this instance, the respondent notes that the focus was clearly on racial/ethnic diversity, but that class came into the picture to a lesser extent. Essentially, diversity at UM continued to be a code word referencing race post-MCRI, in the constrained legal environment. The respondent goes on to hint at some problems with this narrowly-defined definition of diversity:

I think underrepresented U.S. groups are the core problem here, in higher ed. generally and at Michigan, at the top tier especially ... there are lots of other ways to define diversity that matter: sexual orientation, transgender issues, ... disability issues, ... gender diversity's not a very big problem in higher ed. except in certain fields where faculty are an issue. Sexual harassment's clearly still an issue everywhere ... so that matter is a gender issue among other things.

Here, they suggest the importance of other diversity-related identities, like people with disabilities, women, and LGBTQ individuals. This acknowledgment of the challenges that those populations face, however, are still seen by this individual as peripheral, where the core issue is race. Interestingly, and in stark contrast to the University of Western

Ontario (which is discussed in this chapter after UM), the respondent draws a line with regards to international students:

I'm not comfortable defining diversity as international diversity, which some institutions try to do, Michigan never has. We have international students and faculty, lots, but we don't speak of that as about diversity ... it is, to some degree, but it happens pretty naturally so it doesn't have to be produced.

The reasoning employed in this argument is that, largely because the University of Michigan is one of the world's top-ranked public universities by a number of metrics, people around the globe are drawn there and being from another country is not a barrier to one's success at UM. In this way the conception of diversity is tied to inequality, contrary to research suggesting diversity's tenuous relationship with inequality (Bell & Hartmann 2007; Embrick 2011). In fact, much of the discourse surrounding "diversity" at UM was related to social justice, but it is possible that this was because explicit language of race was forbidden so the language allowed was legally restricted in some ways.

A black former administrative professional talked about the admissions process and was fairly explicit regarding the importance of numbers of students of color. They also stressed the importance of attaining a "critical mass", making several references to this idea in their interview, but never clearly defining what constitutes a critical mass, saying:

I really think that ... a critical mass is not a number but you, kinda like what the supreme court justice said at one point, "I don't know what pornography is, I just know it when I see it." ... [laughter] I feel that way about diversity. I know when I see it, it's either there, it's present or it's not present. And ... I think if you look at, at majority campuses there's no real ... blueprint in any way that would say that most of our campuses throughout this country are diverse enough for minority students that it creates a critical mass where every student can benefit from the background of being around people from different backgrounds can benefit ... positively ... with that. So I think that ... the critical mass piece is one

that ... is hard to come by if you can't use anything but things that people have decided on their own what merit is. Merit is a very ... I'll say it's a very personal, it's in the eyes of the beholder ... And one of the things I always says is that everybody believes in diversity and believes in affirmative action as long as they're included.

Here, the respondent draws from the idea of interest convergence to make a case for diversity (Bell 1980), arguing that diversity benefits the entirety of a student body. They also provide a critique of the idea of merit, pointing out the subjectivity in what's often presented as an objective criteria for evaluation.

DIVERSITY AS NONRACIAL

At UM, there were some instances in which diversity was presented as “more than”, or “not just” race, but those instances were typically quickly followed by critiques of watered-down versions of diversity, or a returned focus back to race. For example, an upper-level black diversity professional noted:

Sometimes when you try to focus on everything ... you can focus on nothing, which I don't think that's always the case but ... where does the focus go and ... I don't think there's an honoring of “Ok, we're focusing on this many things, something's going to get the stock of the attention and some things will not.” And how do we ensure that even if we have to have pods and groups that people are going hard on particular things. And, so what I've seen happen is that all this discussion about diversity in working in the multicultural office, I don't see hard discussions in terms of making sure that the number of people of color increase. . . . Somewhere we have to find the balance of saying, the thing that even sparked this whole movement is that this nation has an issue around race, really centered around race. We've got issues around a lot of different identities, this is true ... but race being chief among them, and what are we doing to ensure that we tackle that head on. And I see that the university I won't say is tip-toeing around it ... I imagine that they're being as strategic as they can in, in the current political environment.

Here, the respondent indicates a broadening of diversity conversations to include other identities, but is quick to express the importance of race within these conversations, and as the primary source of much of the diversity discussion in general. This follows a

general pattern, where respondents frequently critiqued the broader view of diversity, but employed diversity discourse based on the political constraints imposed by the passage of the MCRI.

DIVERSITY INITIATIVES

In the discussion of diversity initiatives at UM, there was a notable shift in 2003 when court cases challenged the way race was used, but ultimately upheld the use of race in admissions decisions, and even more so in late 2006 and early 2007 after the passage of the MCRI. After its passage, race could no longer be explicitly considered or used in diversity initiatives; this restriction was seen primarily in two ways by respondents: either as a challenge for the university to overcome, or as an excuse the university employed for not reaching its goals.

The law school found new ways to recruit under the new legal constraints, since it could no longer be race conscious in those efforts. Utilizing black law alumni had been one source of recruiting strategy. One white professional staff member from the law school mentioned a website featuring black law alumni, and that the link to that website was sent out to admitted black law school students, encouraging them to connect with these alumni. This was not, the respondent argued, a benefit under the meaning of the law, and thus was permissible. Additionally, recruiting efforts to bring potential black law school students to campus could no longer be funded by the law school on a racially differentiated basis, so they sought out a creative solution:

We can't afford to pay to have everyone come on campus ... and we can't do it on a racially differentiated basis under the law, so one thing we have done is asked, we have an alumni group ... Michigan Black Law Alum Society, or something like that, MBLAS, and ... [we] have asked them to set aside a fund, that is a privately run fund, to pay for admitted black students to come to campus for admitted student weekends. So that's not Michigan Law School doing it, it's a

private group doing it, but ... that can be racially conscious. And that's probably the single most important thing ... that we do. I think, to get people to come.

Later, discussing debates over specific policies, this respondent noted that pipeline programs were under consideration, in spite of the way in which they benefit society as a whole (in helping push more promising people of color into the legal professions) the large cost and the possibility of students attending law schools at other institutions made them too risky of an endeavor. Further, the law school staff interrogated their own admissions process, and ultimately kept things as consistent as they could while still remaining compliant with the law:

We toyed with a lot of different ideas like that and we ended up deciding the best policy was the policy that we had before but now race is not a factor, which is just this very holistic policy where we're looking at all kinds of things that we think are important to making good law students and ... you know, so race qua race is, as a lawyer might say, is not a factor but ... a person's background and a person's voice and a person's experiences can be factors. . . So I'm not sure the people who voted for Prop. 2 would really love our policy and the way we implement it but I have found ... that the best way to get through it is to, you know, do my, do my best to comply with the law as I understand it and keep my head down.

Beyond the law school, at the highest levels of the institution, there was a great deal of discussion and concern about the impacts of the MCRI on the pursuit of increasing black student enrollment. A former white top-level administrator noted:

Affirmative action was so helpful and we don't have that tool anymore and there's nothing, I don't wanna be polyannish about this, it's nothing that has replaced it that's as good as affirmative action so ... that's, you know, part of the problem. And then once you get the student here, then you have to look at is the student progressing at a rate that you would expect, have you closed the gap ... between, and time to graduation, graduation success, in all of your particular ... diverse groups. And that's something that we monitor very closely, and you want to look at the student satisfaction with the experience.

In this quote, the respondent discusses the challenges of bringing qualified African American students and students of color to campus absent affirmative action, but also

discusses the challenges of retention and graduation rates for underrepresented minority students, or as they worded it, “diverse groups”.

While both of the preceding responses viewed the ban on affirmative action as a challenge and a constraint in terms of cultivating a more racially diverse student body, others were more critical. A black upper-level administrator’s position reflected this:

They’ve gotten lazy, and in the laziness is hidden beyond, behind ... the fact that, “Well legally we can’t do this so we’re doing the best we can.” Ok, I buy that a little bit, but to me it also gives ... the institution the excuse not to do that hard work about integrating people into the community ... that they refuse to do ... I don’t want to seem like I’m insensitive to the political and legal framework that constrains the institution. I get it, I understand it, but at the same time I think that those constraints, instead of inspiring creativity and working at the edge, provides cover for people who don’t want to do anything.

The respondent is clear in their position; they do not see the legal constraint as a reasonable excuse for inaction or poor action. Instead, the changing legal and political environment, if it presents an obstacle to an important goal, should motivate the institution to find new and innovative, effective ways of pursuing that important goal. This respondent does not believe that everything that could be done was being done. So here, the lack of specificity in language due to the legal constraint is not seen as a true obstacle, but as an excuse. Still, whatever the case, this agrees with the idea that diversity initiatives lacking specificity will be less effective, but poses a potential different reason for their difficulty in a restrictive legal environment.

In fact, one upper-level black diversity professional took it a step further, questioning the sincerity of the president’s commitment to diversity as compared to previous (and subsequent) administrations.

I think the previous president (Mary Sue Coleman) was actually working to dial down and get away from not only that rhetoric, but that work, and it kind of showed in ... a decrease in diversity as she left.

This respondent then spoke to the challenge of their diversity-oriented office in finding students of color as workers, as enrollment numbers dwindled. The respondent's view is consistent with the previous respondent, then; if the top administration lacked a true commitment to racial diversity in the student body, the MCRI would be a welcomed excuse to soften efforts and take a less aggressive stance on a politically charged issue.

A white faculty member expressed a similar assessment of the change in the dialogue employed to discuss diversity topics at the university, not necessarily criticizing the University's efforts, but providing their observation of the change in rhetoric, stating:

Administrators openly talked about social justice, fairness, those kinds of issues. After the supreme court decisions they didn't, it became impossible to defend diversity on that ground, you had to defend it on the grounds it was good for white students to be surrounded by people not like them, which it is, but it was a kind of half a defense ... It was not an argument that ... made everybody happy. It made some people vigorously unhappy, some of us, me included, were willing to live with it, but ... other people really were bitter and unhappy with the change in the rhetoric, so there's no question the rhetoric changed. I don't believe the underlying values changed or goals, but the rhetoric definitely changed, and it made, I mean I didn't like it either, it was inspiring to hear ... people sort of talk about fairness and social justice and national vision and things like that, the institution backed away from that.

The MCRI impacted the dialogue and rhetoric surrounding diversity throughout the University, but it also had a concrete impact on admissions processes at the University and the Law School. Professionals familiar with the admissions process at both the Law School and at the University provided some details on how processes necessarily changed in the wake of the MCRI. A white law school administrator noted:

As of January 1 2007 we could no longer take race into account in admissions. So that had a lot of effect on my job ... I first of all had to come up with a process to how we could collect data on race without my knowing about it because we still had federal requirements to collect data on race ... but ... I could know about it like, there's nothing that says I can't know, but it seemed to me that the easiest

way to say I'm not taking it into account is to not have the data point, the box that gets checked with what your race is. So we moved it to the end of the application, we tore off that last page so I couldn't see it ... and so, you know, people talk about it in their application as part of their story, that's absolutely fine for me to know, but I just don't use it, I don't see it as a data point. And that actually did make a difference ... so there's various little bits of data that when you've been doing admissions for a long time you focus on very quickly and it sort of, it's an orienting thing it's like, "Ok I see the school, I see the LSAT, I see the GPA ... I see sex", right? ... Like, I kinda know, I'm oriented, right? And then race used to be part of that orienting principle. And then from there everything that's in the application is either buttressing the strength of the application or tearing it down ... and so ... to not have race as part of the orienting identity really threw me ... I had to read much more slowly, it was, and carefully and, now I feel like I've adjusted again ... I know what I'm doing, but it was like, and I used to question myself a lot like, "Ok, I know this applicant is black, am I wanting to admit because that person's black or is it like because of that person's story, part of which is that person is black. Like, which is it?" ... I can admit fewer people of color and people have questions about coming to an institution where race isn't a factor in decision-making, so I have to all the time be thinking of how can I recruit ... effectively, and that can be a real challenge.

The respondent's comments here point clearly to the subjectivity and ambiguity of the interpretation of the law, as well as of the admissions process. Discussions surrounding affirmative action frequently involve ideas of fairness, and often imply that absent affirmative action, processes are fair with regard to race. The subjectivity in admissions (and employment) decisions shows that merit is not an objective criterion, but determinations of merit are based in some ways on life experiences, socialization, and implicit and explicit biases. Consequently, when evidence of discrimination in, for example, employment (Bertrand & Mullainathan 2004; Pager 2007) suggests that processes are biased in favor of white job applicants who are, in some way, less deserving of merit, affirmative action could be viewed as making tangible efforts to correct against these biases.

The other major point in this response is that the adaptations to the post-MCRI environment were similar, in some ways, to the ways personnel professionals responded

to the first call for taking an “affirmative action” to ensure that people of color were not being discriminated against by federal contractors; modifying processes to ensure compliance with unclear mandates or guidance (Dobbin 2009). The MCRI guidance was clearer, in my opinion, than the original affirmative action mandate, but nonetheless in each case the mandate required adaptation and that adaptation was not completely spelled out. So ultimately, these policy changes were driven by external mandate.

In terms of undergraduate admissions, a former black professional explained some of the changes that the process underwent as a result of the passage of the MCRI:

Yeah, well, we had a to do a few new things ... we purchased a product from the college board that ... gave us demographic information that we used in a similar way that maybe ... automobile business would use it, a car company or whatever ... it pretty much would say based on ... the number of schools and, in a particular area, and they divided up into these different sections all across the country, so that you could look at the geodemographic information, say, in Saline, Michigan, and you could see the actual income of the, average income of the folks who lived in Saline. The average education of folks who lived in Saline, or, the SAT score averages or the number of minority ... families in those areas and so then what we did was kind of craft a marketing plan to kind of go after those kinds of areas and looking for, you know, diversity within the, and within those areas. And of course we went to the ones where we had the largest number ... of minorities, and those were the ones we sort of ... established this top tier state and top tier areas and then we were able to sort-of, ... identify students in those areas as, as being ... people that we would like to recruit ... to come to the University of Michigan. Now, the biggest problem that we had after the proposition was we weren't able to offer the kind of scholarship money that we had been able to offer prior to that ... So the marketing plans that I developed years before the proposition was working just great, and ... until the proposition came along and then we had to change a lot of the language.

In this quote, the respondent describes in detail how UM pursued racial diversity in admissions prior to the MCRI, and notes that the largest obstacle after the MCRI was the fact that scholarships that were racially targeted for black students, for example, were no longer legal.

The respondent goes on to discuss the underlying problem and, arguably, why the University needs affirmative action:

The numbers of minority students in the state of Michigan that have 1,000 on the SAT, and that's a low score ... for Michigan because, you know, we're really right around 1300 or higher on the SAT, like 1350 is the average ... but the number of African Americans who have a B+ average, which is, you know, 3, 3.5, 3.6 and 1,000, the number in the state of Michigan hovers around 200 kids altogether. And then if you take it to the next level, A- and a 1,000, it, it goes down to like 80 or 90 ... so when you talk about, you know, the problem is that the pipeline is broken.

Here, the respondent discusses the generally low numbers of black students who earn high grades and test scores within the state of Michigan, and attributes that, implicitly, to a problem with the school quality and the “pipeline”. The challenge of recruiting black students at a selective school like UM, then, is exacerbated by the poor preparation of black students at high schools in Michigan, where they underperform on the general metrics used for admissions decisions. As a result of systemic underperformance, applying the same strict criteria for all candidates will result in a disproportionately white (or non-black) pool of admits. Critics would argue that this means the respondent is advocating admitting underqualified students, but the insistence that this is a pipeline issue suggests that bright and talented black students are being underserved at inferior schools, and this is not fair, so they should be afforded the opportunity to attend UM. The challenge, since the MCRI passed, became how to account for these differences absent consideration of race.

On the employment side, one white professor spoke about an initiative that involved aggressive recruitment of faculty of color for postdocs that allowed UM an extended period of time to evaluate employees, and provided those postdoc employees

with faculty appointments at the conclusion of the postdoc appointment. The respondent explained:

The Presidential Fellows ... recruits diverse postdocs who are then transitioned, the idea is that they should be transitioned into junior faculty roles, and it's heavily subsidized by the provost's office. So if a department identifies an up-and-coming talented African American in Physics, it's STEM focused ... they get not just the support for the postdoc, but they get support for the line to put that person in a faculty position if they're willing to do it. That has worked ... It has been extremely successful, all but one of the fellows transitioned into a junior faculty position here, and the one that didn't transitioned into a ... faculty position in the Big 10, so, it's a really successful program. It's only three a year in a university of this size, that's pathetic. So we ought to be doing this on a much bigger scale with terrific leadership, it should be its own standalone program ... It's really an important priority and it ought to happen in all fields, why is it only in STEM? Because the problem's worse in STEM? That's very true, but it's everywhere, and ... it ought to be available to all fields, so it would have to be tweaked, there are fields that don't have postdocs, so you'd have to think about how to do it, like, have it be a dissertation writing year in a field that's not got postdocs, but it would be very doable to adapt and change it.

While this initiative was related to employment, it represented a concrete diversity initiative that was impactful and effective, at the university for employment, but in very small numbers.

This respondent also provided insight on the sources of several diversity initiatives, which were rooted in the University's tradition of activism among African American students. The respondent recollected three "Black Action Movements." They happened in 1971, later in the 1970s, and one in the late 1980s. "There's been a genealogy, a kind of lineage of people kind of identifying with the previous movements. Trotter House was the result of the first one." The Trotter House referred to in the previous quote is the William Monroe Trotter Multicultural Center, which opened November 15, 1971, was a black cultural center on the UM campus, broadening in 1981 to become a student multicultural center. In fact, the Trotter Center's website recognizes

that the Black Action Movement (BAM) was responsible for its inception (UM 2017b). The respondent noted that hiring of black faculty and the establishment of African American Studies departments were also attributable to the work of the first BAM, but noted that awareness of BAM and knowledgeability related to BAM was at a lower point in the period from 2000 to 2012.

Another policy that came out of the work of an iteration of the Black Action Movement (and the United Coalition Against Racism [UCAR]) was a curricular approach to improving campus climate. The College of Literature, Science, and the Arts (LSA) at UM has a Race and Ethnicity (R&E) Course Requirement that all students must take a three-credit course that addresses (1) the meaning of race, ethnicity, and racism, (2) racial and ethnic intolerance and resulting inequality as it occurs in the United States or elsewhere, and (3) comparisons of discrimination based on race, ethnicity, religion, social class, or gender.

Establishment of this R&E Course Requirement was contentious, however, and continues to be a source of tension. The respondent described the establishment of the requirement as follows:

That was a big debate but it was not an angry debate. It was a debate that was more, it was a typical faculty discussion about, you know, is this about expertise or advocacy? You know, do we want people to teach these courses because they're women or minorities or do we want them to teach these courses, turned out to be just race ... people of color. And, you know it was very clear framing it that way, the right wanted to say it was about who taught it, not about expertise. And it took a bunch of white faculty saying, "The faculty of color on this campus happen to have a lot of expertise about race, because that's what they were hired studying ... that doesn't mean they're being asked to have this, teach these classes because they're minorities, they're being asked to teach them because of their expertise." Anyway, it passed, it was ... I think an illuminating and painful debate. I found it very disturbing and yet it passed overwhelmingly once the vote came. The discussion was polarizing, but the, the vote was strong. And it was recently re-evaluated as you probably know and re-endorsed, so I was nervous

about whether that's what was going to happen but it did ... It came from UCAR which was the third Black Action Movement. It was a demand ... that took several years to get enacted.

As that narrative indicates, clearly student activism at UM has been a catalyst for changes in policy and accommodations for students of color, particularly African Americans, on the Ann Arbor campus. While the R&E Course Requirement was a demand, one of the primary demands of the group was an increase to 10% African American student enrollment at UM, a demand which has, to date, never been met.

INTERVIEWS – UNIVERSITY OF WESTERN ONTARIO

Interviews with individuals affiliated with UWO yielded different results in significant ways from those interviews that were conducted with people connected to UK or UM. The conceptualization of race and racial categories at UWO differed from UK and UM, which tended to share the United States' racial categorization schema. As a result, questions about racial minorities in upper management at UWO, and their races, generated some unique responses. Further, there tended to be fewer university-supported diversity initiatives similar to what is seen in the U.S., and very little knowledge about how UWO pursues racial diversity beyond internationalization and efforts to support indigenous students. Overall, the UWO interviews provide an interesting contrast to both UK and UM.

DEFINITIONS OF DIVERSITY

There were a number of definitions that respondents provided to articulate the vision of diversity that they saw UWO subscribing to. A representative of top-level administrators noted:

I personally, and I think ... the University would define diversity in the broadest sense ... ethnic diversity in terms of, you know, the people who go to school here,

the people who work here, the people who teach and do research here, so they come from different parts of the world, they come from different ethnic and religious backgrounds ... I would also emphasize that diversity ... within the university context and in my own mind also speaks to gender ... and particularly within the university context because the whole issue of ... opportunities for women ... to hold senior positions ... to get tenure-track positions, to get staff positions ... is something the University's really concerned about and actually tracks that kind of data quite closely. So, anyways ... to summarize, diversity, I think, our definition of that and my own definition of that is broadly based it goes beyond just ethnic ... and national background, but also includes ... diversity from a, from a gender point of view.

Here, although the respondent speaks of a broad conception of diversity, ethnicity, nationality, and gender seem to be the primary components. Note the language of race is absent, in favor of ethnicity and nationality. Also noteworthy here, is that the respondent indicates that gender is an important part of diversity to the university, and that evidence of this is the fact that the university, "tracks that kind of data quite closely." Conversely, the university does not track race data for students, suggesting that perhaps racial and ethnic inequality within the university is not a priority for top administrators, or perhaps that it is simply not seen as a problem because the data does not exist.

Another white administrator also believed Western's conceptualization of diversity was very broad, explaining it as follows:

I think they have a broad view of what that means. It's not just race, it's not just one thing, I think it's a broad spectrum of ... race and ... gender, sexual orientation, disabilities, so ... a broad spectrum of different people.

A person-of-color in an academic administrative role conveyed a similar message and used similar language to indicate that race was not the only consideration in the conception of diversity at UWO:

I believe Western is very committed to diversity, and when I say diversity I think ... it means not just racial diversity. So there's racial diversity, gender diversity ... you know, ... disability or ... just all kinds of inclusiveness ... it's committed

even in the job ads that are given, you know there is, it mandates that it is committed to, that is the mission of the university ... and there is a diversity office I believe. Diversity and human rights, or no, diversity and ... actually if you google the Western webpage, diversity, I think something pulls up. And that is the equity and human rights, yeah, office. So ... yeah I mean in principle it is very committed to diversity.

This respondent made mention of the existence of statements on job postings and the possible existence of an equity office to indicate UWO's position on diversity, and suggested that these things indicate a very serious commitment to diversity. These two factors also constituted the extent of this respondent's familiarity with diversity initiatives at UWO, and the uncertainty about these programs was not unique to this one respondent.

DIVERSITY INITIATIVES

In terms of specific diversity initiatives, four respondents were either unaware of specific diversity initiatives or referenced the "Western Values Diversity" Statement at the bottom of job postings. In 2017, for example, that statement read:

The University invites applications from all qualified individuals. Western is committed to employment equity and diversity in the workplace and welcomes applications from women, members of racialized groups/visible minorities, Aboriginal persons, persons with disabilities, persons of any sexual orientation, and persons of any gender identity or gender expression.

One white respondent included this, the only initiative they were aware of, at the beginning of their interview when talking about Western's position on diversity. The respondent noted:

I think they have a really good position on ... diversity, I know, like, they have stuff on their ... Working @ Western site that says, like "We're an equal opportunity employer", that's front and center. Like if you're gonna apply for a job, it says right in there and it says what that includes, which is race ... ethnicity ... gender identity, gender expression, sexual orientation, disabilities, like, it lists all that, so I know they have a statement right on there for people who are applying ... So I know it's important to Western and it's important ... to the administration that we ... support and have diversity on campus.

When pressed further, and based on the prompts surrounding racial diversity, the respondent who was a representative of top-level administrators gave more detail about intentional efforts to increase international student enrollment under the leadership of the current president, Amit Chakma:

We also set a target of trying to get about 10% of our students from provinces outside of Ontario. So this has been a very deliberate ... strategy since Amit's arrived in 2009. And so, you know, our student population has really changed quite significantly. We're about 10-11% in the undergraduate body and at the graduate level we're I think somewhere approaching 20% ... of our students are international. So, I highlight that as an example for how the university's changed certainly since Amit arrived, because it was ... it's been a strategic ... focus of the university.

The respondent goes on to explain that there are a large number of international students from China, specifically, stating that it's "really just a numbers game." Here, the respondent is conceptualizing racial diversity in terms of international students. Aside from the discussion of provinces outside of Ontario (while the majority of black Canadians live in Ontario), the discussion centers on students from other countries.

The respondent continued, making it clear that the efforts to internationalize UWO came from the top-level, and specifically, from the president:

I think really Amit's mandate when he came in here was sort of twofold ... or maybe threefold. One was to keep building on this best, Canada's best student experience, but to also increase the diversity of our university and ... to also really try to improve some of the measures, some of our performance on research metrics. So if you consider that our international student body was, consisted of about 3% of the student population when Amit arrived, today we're ... our incoming class is made up of about 11% international students, so there's been a significant increase to our intake.

Although this respondent expressed pride in the internationalization efforts, they also provided some critique of those efforts in terms of how they served the university's financial interest:

And what's happened over the course of the last ... seven-eight years is ... our tuition fees are regulated by the provincial government except for international students. And this is a key thing. So if you're Canadian ... in Ontario, you come to Ontario you pay one tuition fee. If you come from outside the country you're pretty much paying the full cost of your education, or pretty close to it, ok? So when we, as an institution, when we're ... bringing more international students into the University, that does have a positive impact on the revenue line, but as I mentioned to you before, it also has, there are extra costs that come with that because you have to create a whole host of different services and supports to make sure that these students are successful.

Here, although noting the positive financial impact of increased international students for the university's budget, the respondent provides the caveat of additional costs required to support international students.

Other respondents were more critical of this internationalization, including a former white professor who stated:

Dr. Chakma came in as president and one of his commitments was to internationalize the university, by which it turned out he meant that we should poach all the bright young things from every country in the world and keep them in Canada, not that we have any kind of a moral obligation to help develop anywhere else, but nonetheless, you know, because he's committed to internationalization, there's been a huge, huge push on that and just by its very nature, internationalization has to some large degree diversified our campus by which I mean people can go around and say, "Oh look there's black kids! Oh look there's south Asian kids, oh look ..." you know, that, that kind of thing ... and so the numbers look better and nobody happens to mention that, you know, most of these kids from other countries are the children of the wealthy and they're here because they can pay the big foreign tuition fees and it's helping balance the budget ... you know everybody says it costs us more to have international students than ... they may pay in tuition but I don't think that's true.

This retired white faculty member raises two critiques of the pursuit of international students, the first essentially being the brain drain that UWO causes by "poaching" people from abroad and bringing them to Canada to educate them and reap the benefits of that education for the Canadian economy, and the second being that the international students they attract are typically wealthy and are financially advantageous to the

university. In this way, someone interested in a social justice pursuit of diversity, or the *discrimination-fairness* perspective, would likely be very disappointed (Ely & Thomas 2001), and the source of the program could, at least partly, be a financial incentive.

In addition to international students, another major population that was discussed in terms of diversity in the student body was indigenous students. The white respondent who was a top-level administrator representative discussed Western's newly approved strategic plan (which fell outside of the 2000-2012 period). The respondent discussed efforts (with targets) to increase the number of indigenous employees, and went on to discuss celebration and recognition ceremonies as well. Absent from this conversation, however, was a discussion on the number of indigenous students or their specific experiences. In terms of the indigenous strategic plan, the source of that document was a mandate, beginning approximately 30 years ago, from the provincial government in Ontario to have an Aboriginal Education and Employment Committee. The respondent explained the history as follows:

So this was legislated, we had to have this. And what these committees were structured to do was to create a forum where members of the University and members of the surrounding indigenous communities could get together to talk about issues that related to employment and education of members of our local indigenous communities ... so that goes back 30 years ... then, you know, fast forward maybe 15 or so ... we created something called Indigenous Student Services ... and so this was, you know, a specific ... unit on campus that provided specific support, and for indigenous students.

The respondent went on to explain that developing an indigenous strategic plan was part of UWO's 2014 strategic plan.

In the previous quote, one can see the creation of Indigenous Student Services at UWO. Several respondents discussed this office in their responses to questions concerning diversity at UWO. Services offered by this office are intended to help

support indigenous students, including their retention and graduation rates at UWO, however, because UWO does not collect race data on students, this data is not readily accessible or available. Additionally, a few respondents noted a mistrust that indigenous students had, which they described as reasonable, with regards to the university collecting information about them. This is problematic for Indigenous Student Services, as described by one student affairs professional:

They really have had very little desire to know and to understand ... what those numbers mean, but at the same time they'll ask ... for them ... but, they don't keep track of them [laughter]. So it's been up to us and ... we've started doing it in a few different ways, because we know we have our own graduation as well ... so that helps because now students have to get back to us and let us know if they're graduating, when they're graduating ... some of them, you know, are graduating twice. Some of them have multiple degrees that they're finishing kind of thing, so ... our office has gone a lot more in depth and I would say ... this coming year, would be the fourth year of us doing that ... So, you know, it was a learning curve for us and again, not really our job ... So, I would say at some point that will be passed along to the registrar ... but at this point they haven't recognized that there's a need for it. I think they're getting there.

As described in this post, the office of indigenous student services is expected to produce data on the race of students; they are expected to show the impact of that office's programming on retention of indigenous students, but the university has no systemic method for collecting this data, so they attempt to generate the best available data they can.

Finally, one white former professor and administrator noted a policy in admissions for indigenous students in a particular college:

Some faculties had some kind of a, what you would call an affirmative action statement of some kind ... essentially that amounted to something around ... students of "x", and in the faculty of education's case it was indigenous students, who meet the minimum requirements and can demonstrate that they're indigenous. I mean ... they have to have their treaty card or something of that nature ... will be given admission ... So they would just get automatic admission

if they met the minimum requirements and were indigenous ... I think one or two other faculties had somewhat similar statements, but there's not a lot of, you know, active policy that ... says anything about admissions the way in which many faculties in the university demonstrates is they try to get pictures of racially diverse bodies of students.

Overall, in discussions of diversity initiatives on UWO's campus, there was very little content as compared to the other universities. Respondents discussed internationalization, indigenous student support, or were largely unfamiliar with any formal efforts. A black Canadian staff person discussed some things that they counted as diversity initiatives, but they were completely driven by student organizations with no formal institutional backing:

So one of the things I loved about Western was that the Black Student Association and the Caribbean Student Organization were like, doing things, so they're holding, you know, poetry nights and you know, all these cultural ... like, dance events and like, choirs and, you know, social justice ... action ... and that was really cool to see ... I think it really depends on whether you feel like you are empowered to do something, if people give you that opportunity, because that's where it always starts. So that was something I really liked about Western. Whether I've seen it change, I guess just the clubs get bigger ... so the, you know, Caribbean Students Organization night festival, and the Black Student Association and the African one too get bigger, but I haven't seen like the techniques change. I think the only thing I think has changed is that those student groups are connecting more with community groups and trying to double the influence that way and to widen the influence past the Western bubble, but I haven't seen that much of a difference besides that.

In this response, the respondent makes clear that students were the source of these events and were making significant efforts at providing cultural, and even social justice-oriented programming. The respondent goes on to clarify that they did not know any formal programming from the university that was comparable to what these student organizations were producing.

CAMPUS CLIMATE

There were a number of discussions of campus climate or instances of racial bias at UWO that were discussed by staff. One staff person of color, for example, was often questioned about their heritage and assumed to be from a different country (but the same continent) than where they were actually from. The staff person was of Asian descent, but people often asked them if they were Chinese, or assumed that to be the case. This respondent did not find this common occurrence problematic, but thought it was quite strange.

There were more consequential issues as well. A faculty person and administrator of color noted an instance in which an Iranian graduate student was targeted:

Last year there was ... a student from English who was ... attacked ... in ... the market area ... I believe ... I mean it was covered by the London Free Press, and ... so the University ... it was addressed at Senate, the president brought it up, and you know, just a true to an attempt to raise awareness that these things should not be happening.

The resolution of this situation is unclear, as the respondent simply stated that “it was addressed” and that the president raised “awareness”.

Similarly, a white former professor discussed some of the challenges faced by Muslim students on UWO’s campus and likened them to challenges faced at schools in the United States:

Lots of Western students, especially women in hijab who are very easily identified ... experienced a great deal of racism on the streets and in, you know, just walking across campus and the name calling and all of those kinds of things ... and threats from guys driving by in cars and all of the things that happen in all the American cities.

Black Canadians also face unique challenges at UWO, many of which are similar to challenges African Americans encounter at HWCUs in the U.S. A black Canadian employee at UWO recounted a story from a pub on-campus:

I think one time I remember I had just switched over to having natural hair and somebody in like, we have like an on-campus bar, someone just like, put, white guy, put his hand in my hair and I was furious! And I had to explain why you could not put your hand in a person's hair, like it just, you know?

As she told this story, the frustration was evident. Feagin and Sikes (1994) document many instances like this for people in the U.S. in the black middle class, and discuss how the cumulative impact of dealing with these types of microaggressions is deeply harmful (Feagin & Sikes 1994; Sue 2010).

In addition to these types of climate challenges, processes A white former professor discussed a hiring situation where they felt racism in the hiring process and how candidates were evaluated, and in community members' assessment of the hiring of the current president, who is from Bangladesh:

So we came down to two candidates and one was a Canadian white guy who had gone to another country and had been a vice dean or associate dean at a university in another English speaking country. And a black guy, but it wasn't clear that he was black, but a guy from a high-powered law firm in New York ... and when the guy from New York came, suddenly ... there was just this, you could just sense this cool, "Oh, my God, we didn't realize he was black." And, you know, he was a lawyer, you know? And he was in his \$5,000 suit and he had plans and he did this and that or whatever, you know, but suddenly he became, "Oh no, he's too slick, he's not really an academic, he's a practitioner, he's a..." And you just, I just knew and I could just see what was happening there ... and the same thing happened when the current president got hired, people in the community, in the town, said to me, because I'm, I was active in a number, you know, doing volunteer work, said to me, "What do you think of this new president?" "He's just not really, well, he's just not what I expected. He's just not really like us, is he?" And I mean, they didn't know him, all they had seen was his name, his picture, this little bio of him.

This assessment addresses the climate of the campus, as well as the surrounding community members, which the respondent sees as intolerant. They went further to discuss a colleague from Trinidad and Tobago who received poor teaching evaluations, and upon the respondent's observation, they deemed that these evaluations were largely driven by racism. Indeed, research indicates that students at HWCUs tend to rate professors who are people of color lower on teaching evaluations (Reid 2010).

The respondent goes on to discuss the language used and how they view it as disempowering:

There's ... this kind of administrative policy procedures framework that's pretty strong for a university in Canada, it's a pretty strong one, but at the enactment/implementation, there are all kinds of issues and I think it's because the framework is a very liberal framework and the politics have been stripped out and ... nobody uses the word "racist", nobody uses the word "oppression", nobody uses the word "justice", you know? Any of those kinds of things, it's all just a, "Well you just do this: step 1, step 2, da da da da da," and it's kind of legalese and, and removed from the realities of human relationships and social relationships and power and privilege and all of those kinds of things.

This respondent directly criticizes a lack of specificity in the language articulating diversity initiatives and attributes it, at least partly, to some of the climate issues that they recollected in our conversation.

Finally, one respondent, who identified as a first nations person, discussed microaggressions in the classroom that they encountered as a student at the Teacher's College, and how students were forced, in the respondent's view, to become activists. Ultimately, as a result of their activism, some faculty were dismissed, the curriculum was modified, and efforts came about to improve the campus climate within that particular faculty, but the respondent did not believe top administration was initiating any meaningful, impactful diversity efforts aside from this, "damage control."

CONSTRUCTION OF RACE

Being that race is a social construct, conceptions of race vary from country to country. During interviews, the same questions were asked in Kentucky, Michigan, and Ontario, but at times they yielded very different responses. For example, one question asked “How many [racial] minorities are in upper management in the company? What are their races?” At UWO, this question garnered a wide variety of responses. For example, a conversation with one white respondent went as follows:

DL: So how many racial minorities are there in upper management at Western and what are their races?

Respondent: Sure. That’s a pretty easy one I guess, so, but help me define, if you will, help define for me “upper management.” I mean, what in your world means upper management?

DL: I’ll let you do it based on your, your definition and your understanding.

Respondent: [laughter] Sure, sure. Well, as I’ve mentioned to you, you know pretty much at the top of the pyramid our president Amit Chakma, as I mentioned to you, was born and educated in Bangladesh.

DL: Sure.

Respondent: Our provost ... her name is Janice Deacon, she’s born and raised in Ontario.

DL: Ok.

Respondent: So she would be your quintessential ... WASP.

DL: Ok.

Respondent: Our vice president of research is Canadian, he’s of a Italian background.

DL: Ok.

Respondent: And, our vice president of external is also sort of, you know White Anglo Saxon ... the dean of our Business school is originally, he’s American.

DL: Ok.

PR: He came to us from the University of Michigan. Our dean of Arts & Humanities is, what’s the best description? He’s a Anglo Saxon.

DL: Ok.

PR: We have a dean of information and media studies, he would be an Anglo Saxon. Is this kind of what you’re looking for?

DL: Yeah, so what, the person from the University of Michigan.

PR: Yeah.

DL: Is American, what is his race?

PR: His name is Kennedy.

DL: Oh, his race?

PR: No, I know, well, Kennedy, you tell me.

DL: Ok.

PR: Didn't you have a famous president named Kennedy and he was of Irish background?

DL: Yes, yeah.

PR: Yeah, so, yeah, he's an Anglo Saxon.

DL: Sure, ok . . . Are any of the deans people that you would identify as racial minorities?

PR: Yeah, I'm going through them in my head right now here.

DL: Ok.

PR: I just want to get through all eleven and then . . . we'll know, it's a couple that will emerge. In science . . . our faculty of science . . . is Charmaine Dean, and she's originally from Trinidad.

DL: Ok.

PR: And so, she is, I don't know, when you're from Trinidad, I mean, African American?

In this exchange, the response to race questions largely centered around nationality, including for some European nationalities that would generally be considered white in the U.S. (e.g. Italian). Canadian and American, for example, were also responses that the respondent thought fit this question. The last response was interesting as it seemed the respondent was attempting answer with a racial category (African American) that was different than the nationality (from Trinidad and Tobago) in an effort to correctly answer the question.

Many respondents highlighted the university president, a Canadian citizen originally from Bangladesh, but did not identify him as "Asian", which is where he would commonly fit in the U.S. racial classification. This, it seems, is consistent with the Canadian orientation toward multiculturalism, where nationality and national identity are preserved rather than the expectation that people assimilate into racial categories. And indeed, multiculturalism is something that the Canadians who I spoke with tended to be quite proud of.

CONCLUSION

Through conversations at the three universities, a few things became clear. First, the legal mandate to desegregate at the University of Kentucky and the resulting *Kentucky Plan* had a number of very positive attributes, including having explicit and specific measurable targets, assigning responsibility to specific goals to individuals (in the President's Commission on Diversity), and requiring mandatory reporting and checking-in. Interestingly, the President's Commissions suggests that top-down initiatives may be highly effective (contrary to H₃), but it's important to keep in mind that these initiatives were generated out of necessity in response to an external mandate that was explicitly focused on African American student enrollments and completions.

In Michigan, it was clear that the university was under a high level of scrutiny as a highly selective university that was in the center of national legal battles and discussions surrounding the use of race in university admissions. As a result, many of the more effective policies that included explicit consideration of race, many of which were generated from student activism and the Black Action Movements (as H₄ would suggest), were banned, and UM has struggled to adjust and adapt to the new legal environment and seen a substantial decline in African American student enrollment and completions. Importantly, this suggests that the legal and political environment can constrain social movements significantly enough to seriously impede or eliminate their gains.

Finally, at the University of Western Ontario there was a dearth of diversity policies comparatively, with many individuals seeing non-discrimination statements on job postings as diversity policy. Further, because Canadian universities generally do not track race data on students, administrators are unlikely to detect gaps in retention or

graduation rates by race, or gaps in terms of student experience when, even if climate survey results were available, they could not be parsed out to look for variances between racial groups. As a result, some student organizations have made efforts to support black Canadian students, but those efforts tend to lack at UWO. Instead, there are efforts at internationalization (which have a monetary incentive), and to better serve indigenous students (resulting from a government mandate).

See Table 9 for a summary of results from the analyses thus far.

Table 9, Summary of Impact of Contextual and University Factors (Including the Source of an Initiative) on Black Enrollments and Completions

University Variables	<u>UK</u>	<u>UM</u>	<u>UWO</u>
Elite University	No	Yes	No
High Endowment	No	Yes	No
Specific diversity strategies (H ₂)	Yes	No	No
University social movement (H ₃ & H ₄)	Low	High	Low
Media scrutiny	Low	High	Low

CHAPTER SIX: THE EFFECTIVENESS OF IMPLEMENTED DIVERSITY PROGRAMS

This chapter contains the quantitative analysis using IPEDS data, as well as an overview of trends in black enrollments and completions at different universities, in order to explore the results of diversity programs at the two universities in the United States. The work of Peter Hinrichs is important in this regard, as he utilizes IPEDS data in a series of publications related to black student enrollment (2012), graduation rates (2014), and racial segregation (2016). While in some studies he drops certain states from his sample (including Michigan in Hinrichs 2014), he uses the IPEDS data for most states in the U.S. This is in contrast to my research which restricts the data to focus on institutions in Kentucky and Michigan exclusively, so I can correlate them to specific state contexts involved and pay particular attention to UK and UM. I then match up these results with previous archival and interview work on the strategies adopted and constraints faced by each university in two different political contexts. So in what follows, I strictly adhere to the two-state comparison. In general, I find parallel results to Hinrichs' analysis, but go much further in explaining the results within the university and state contexts at these two universities.

RESEARCH DESIGN

In determining the quantitative approach to this study, the desire was to explore what factors were positively associated with African American student enrollments and completions at the selected universities. The focus on black student enrollments and completions is because this study that focuses on student body diversity conceptualizes diversity in terms of African American student enrollments and completions. There is a

significant body of literature on diversity that explores the meaning of the word and the way it is defined and operationalized in policy (e.g. critical diversity studies), however much of the higher education diversity policy in the U.S. began as affirmative action policies that were engineered to promote “equal opportunity” for black students at institutions that were not initially designed for them (and were typically intentionally exclusive of them). Ultimately, the decision for this study led to the selection of multiple regression as the method of choice.

This study uses two ordinary least squares regression models to predict (1) percentage of black non-Hispanic enrollment, and (2) percentage of black non-Hispanic completions^{1 2}. Models were run for the years 2000, 2003, 2006, 2009, and 2012. Further, this study explores trends among public flagship universities in the United States where consideration of race has been banned, as well as those that allow consideration of race in admissions (and financial aid) decisions.

There are numerous statistical methods that could be employed to look at the factors associated with black student enrollment and completions at HWCUs, and each option has advantages and disadvantages. Ordinary least squares (OLS) regression is a relatively simple model for exploring associations, and because this was only a small component of this larger project, the relative understandability of OLS contributed to its selection. Further, the primary expectation of this portion of the research was that, because this study argues that context is important (H₁), and because Figure 2 and Figure 3 clearly illustrates divergent patterns of black student enrollments and completions at

¹ For all models, variance inflation factors (VIFs) were utilized to check for multicollinearity, and in all cases they revealed that multicollinearity was not a problem (all VIFs < 2.0, results not shown).

² All data were analyzed using Stata/SE, version 12.0.

UK versus UM for the years 2000 to 2012, the variables for state context in this case would become significant after the state contexts changed dramatically (due to the passage of the MCRI in Michigan). For this purpose, I decided to utilize OLS regression and supplement this with the semi-structured interviews, review of archived websites, and reviews of overall enrollment and completion patterns at other flagship universities in the U.S., both those with bans on affirmative action, and those without.

Notably, UWO is absent from these models; this is because the data for that university, and for most other Canadian universities from 2000-2012, does not exist. Canadian universities do not collect race data for their student bodies, and only collect race data on employees for compliance with required Employment Equity policies. The implications of this will be discussed further, and I believe this connects strongly to the Canadian official position of multiculturalism. So while this quantitative portion of this study is, unfortunately, not cross-national, the preceding qualitative portion presents a rich and deep investigation into the pursuit of racial diversity at three historically white colleges and universities, two in the U.S. and one in Canada.

POPULATION AND SAMPLE

Data was obtained from the National Center for Education Statistics' Integrated Postsecondary Education Data System (IPEDS). This data set is based on survey components that are required to be completed for any institutions that participate in any federal assistance program. As a result, it is a large dataset with information about the vast majority of colleges and universities in the United States.

For this study, the college or university was the unit of analysis, and included all colleges and universities in the states of Kentucky and Michigan for which IPEDS data

was available. Although the focus of this study is on specific institutions (UK, UM, and UWO), exploring the state contexts of Kentucky and Michigan is an important step in understanding how that context has shaped options for diversity programming; the expectation in the choice to use this data was that the state context would be significant (connected closely to H₁).

MEASURES

Two dependent variables were of interest in this study. First, a variable for the percentage of black students enrolled was generated by dividing the total fall enrollment for black students by the grand total fall enrollment. Second, a variable for the percentage of black student completions was generated by dividing the total black completions by the total completions for the university. Since this study focuses on HWCUs, any institution with percentage of black students enrolled or percentage of black completions over 50 were removed from the sample (approximately 15-25 schools for each year). This included primarily for-profit barber and cosmetology schools, as well as Wayne County Community College, a community college in Detroit, Michigan with over 70% black student enrollment.

For state context, a dummy variable was created where 1=*four-year public institution in Michigan* and 0=*all other universities in the sample*, which primarily consisted of public four-year institutions in Kentucky and private and community colleges in both states. The reason the variable was constructed in this was to indicate schools whose admissions selection processes were impacted by the MCRI, which banned consideration of race. While the MCRI technically impacted all public institutions in Michigan, community colleges generally have open enrollment, so it would

not impact their admissions process. Further, some firms that were not under the mandate of affirmative action used benchmark “Plans for Progress” firms as guides for compliance in hopes of securing government contracts, and a similar logic of benchmarking in higher education could result in private colleges being indirectly impacted by the MCRI, however I decided to focus on institutions that were directly affected.

Additionally, two variables related to the cost of attending the institution were included. First, a variable for “published in-state tuition and fees” was incorporated into the models. Second, a variable measuring the percentage of the student body receiving any financial aid was included.

Thus, the two regression equations used in each of the years were equations that predicted African American student enrollments, like this:

$$\begin{aligned}
 &Y_{\ln(\text{total black non-Hispanic enrollment}+1)} \\
 &= \beta_0 + \beta_1 \text{State} + \beta_2 \text{Published in-state tuition and fees} \\
 &+ \beta_3 \% \text{ of students receiving any financial aid} + \beta_4 \text{Grand total fall enrollment} + e
 \end{aligned}$$

And an equation predicting African American student completions, which looked like this:

$$\begin{aligned}
 &Y_{\ln(\text{total black non-Hispanic completions}+1)} \\
 &= \beta_0 + \beta_1 \text{State} + \beta_2 \text{Published in-state tuition and fees} \\
 &+ \beta_3 \% \text{ of students receiving any financial aid} + \beta_4 \text{Total completions} + e
 \end{aligned}$$

The primary purpose of running these two regressions for each year for these two states was to see if the state context variable became significant in later periods (2006, 2009,

2012) after passage of the Michigan Civil Rights Initiative, in Michigan. For this reason, the regressions include all institutions of higher education in Kentucky and Michigan.

PROCEDURES AND RESULTS – YEAR 2000

First, descriptive statistics for variables included in the multivariate analysis for the year 2000 are available in Tables 10-12, with Table 10 and Table 11 showing a breakdown of descriptive statistics for the variables in the models for all universities in Kentucky and Michigan, respectively. They show remarkable similarities in the sub-samples for each state, with a higher percentage of students in Michigan receiving any financial aid, and a higher maximum published in-state tuition and fees in Michigan, but otherwise generally similar statistics.

Descriptive statistics for variables included in the multivariate analysis for the year 2000 for the full sample of institutions in both Kentucky and Michigan are displayed in Table 12. In the sample, average black non-Hispanic enrollments and completions were nine percent and eight percent, respectively. About 10% of the institutions were public four-year institutions in Michigan (that would be impacted by the MCRI post-2006). Published in-state tuition and fees averaged just under \$6,200 for all schools in the sample, and about 78 percent of students were receiving any financial aid.

Table 13 displays the results of the ordinary least square regression of percentage of black student enrollments on whether the school was a Michigan public four-year institution, published in-state tuition and fees, and the percentage of students receiving any financial aid, Model 2000a. The Breusch-Pagan test indicated heteroscedasticity was not a problem for this model. Overall model fit was poor in this model, and none of the variables were statistically significant.

Next, Table 14 displays the results of the ordinary least squares regression of the log of percentage of black student completions on whether the school was a Michigan public four-year institution, published in-state tuition and fees, and the percentage of students receiving any financial aid, Model 2000b. A log transformation was performed on the dependent variable (percentage of black student completions) to address heteroscedasticity, indicated by the Breusch-Pagan test³. See Figure 6 below for a residual vs. fitted plot, also displaying the heteroscedasticity.

The results of Table 14 indicate that There was a very small ($\beta=0.00000328$), positive, significant association between the published in-state tuition and fees and the log of percentage of black student completions ($p<0.01$).

PROCEDURES AND RESULTS – YEAR 2003

Similar procedures were followed in each of the five years in this cross-sectional analysis. For 2003, descriptive statistics for the sample are available in Table 15, which shows mean black enrollments and completions of ten percent and nine percent, respectively. Additionally, about nine percent of the sample was public four-year institutions in Michigan that would be directly impacted by the MCRI in their admissions processes, and 91 percent were not. Also, average published in-state tuition and fees for the 2003 sample were just under \$7,900, and about 84 percent of the students were receiving any financial aid.

Table 16 displays the results of the ordinary least square regression of percentage of black student enrollments on whether the school was a Michigan public four-year institution, published in-state tuition and fees, and the percentage of students receiving

³ Because some values of the dependent variable were 0, $\ln(x+1)$ was used for the log transformation, and for all log transformations in this study.

any financial aid, Model 2003a. The Breusch-Pagan test indicated heteroscedasticity was not a problem for this model. Again for this enrollment model, overall model fit was poor and none of the variables were statistically significant.

However, a power transformation of the independent variable for published in-state tuition and fees improved this model, and is displayed as Model 2003b. In this model, there is a small but significant positive association between both published in-state tuition and fees and black enrollments ($\beta=0.0000192$; $p<0.01$), as well as the squared variable derived from published in-state tuition and fees ($\beta=0.000000000866$; $p<0.01$).

Next, Table 17 displays the results of the ordinary least squares regression of the percentage of black student completions on whether the school was a Michigan public four-year institution, published in-state tuition and fees, and the percentage of students receiving any financial aid. For this model predicting the percentage of black student completions (Model 2003c), overall model fit was poor and none of the variables were statistically significant.

A power transformation of published in-state tuition and fees, however, changed that. In Model 2003d there is a small significant positive association between published in-state tuition and fees and percentage of black student completions ($\beta=0.0000136$; $p<0.01$), and a small significant negative association between the squared independent variable derived from published in-state tuition and fees and the percentage of black student completions ($\beta=0.000000000607$; $p<0.01$).

PROCEDURES AND RESULTS – YEAR 2006

For 2006, descriptive statistics for the sample are available in Table 18, which again shows average African American enrollments and completions of ten percent and nine percent, respectively. Additionally, still about nine percent of the sample was public four-year institutions in Michigan, and 91 percent were not. Also, the mean published in-state tuition and fees for the 2006 sample were just under \$9,400, and about 83 percent of the students were receiving any financial aid.

Table 19 displays the results of the ordinary least square regression of percentage of black student enrollments on whether the school was a Michigan public four-year institution, published in-state tuition and fees, and the percentage of students receiving any financial aid, Model 2006a. The Breusch-Pagan test indicated heteroscedasticity was not a problem for this model. Overall model fit was poor and none of the variables were statistically significant in Model 2006a.

However, Model 2006b includes a power transformation of the independent variable for published in-state tuition and fees. In this model, there is a small but significant positive association between both published in-state tuition and fees and black enrollments ($\beta=0.0000201$; $p<0.01$), as well as the squared variable derived from published in-state tuition and fees ($\beta=0.000000000770$; $p<0.01$).

Next, Table 20 shows the results of the ordinary least squares regression of the percentage of black student completions on whether the school was a Michigan public four-year institution, published in-state tuition and fees, and the percentage of students receiving any financial aid. The Breusch-Pagan model exposed a problem of heteroscedasticity, and a log transformation of the dependent variable did not resolve this,

so robust standard errors were used. See Figure 7 below for a residual vs. fitted plot. For this model predicting the percentage of black student completions (Model 2006c), overall model fit was poor and none of the variables were statistically significant.

In Model 2006d, however, there are small significant positive associations between percentage of black student completions and both published in-state tuition and fees ($\beta=0.0000152$; $p<0.01$) and the squared independent variable derived from published in-state tuition and fees ($\beta=0.000000000572$; $p<0.01$).

PROCEDURES AND RESULTS – YEAR 2009

First, descriptive statistics for variables included in the multivariate analysis for the year 2009 are available in Tables 21-23, with Table 21 and Table 22 showing a breakdown of descriptive statistics for the variables in the models for all universities in Kentucky and Michigan, respectively. Upon reviewing Figures 2 and 3, and because the MCRI was passed in 2006, it is useful to revisit the state breakdowns of descriptive statistics for the relevant variables. As seen in Table 21 and Table 22, the sub-samples for each state are quite similar. Mean black enrollments are ten percent and twelve percent at Kentucky and Michigan, respectively, and completions are 11 percent in both states. The average published in-state tuition and fees are also similar, and in Kentucky, a slightly higher percentage of students are receiving any sort of financial aid. Table 23 displays descriptive statistics for the entire sample.

Table 24 displays the results of the ordinary least square regression of percentage of black student enrollments on whether the school was a Michigan public four-year institution, published in-state tuition and fees, and the percentage of students receiving any financial aid, Model 2009a. The Breusch-Pagan test indicated heteroscedasticity was

not a problem for this model. None of the independent variables were statistically significant predictors of the percentage of black students enrolled at the institutions in Model 2009a.

A power transformation of published in-state tuition and fees, however, changed that. In Model 2009b there are small significant positive associations between percentage of black student enrollment and both published in-state tuition and fees ($\beta=0.0000147$; $p<0.01$) and the squared independent variable derived from published in-state tuition and fees ($\beta=0.000000000485$; $p<0.001$).

Next, Table 25 displays the results of the ordinary least squares regression of the log of percentage of black student completions on whether the school was a Michigan public four-year institution, published in-state tuition and fees, and the percentage of students receiving any financial aid, Model 2009c. Robust standard errors were used to address heteroscedasticity, indicated by the Breusch-Pagan test. See Figure 8 below for a residual vs. fitted plot, also displaying the heteroscedasticity.

None of the independent variables in Model 2009c were significant predictors of percentage of African American student completions. However, a power transformation of published in-state tuition and fees had an impact. In Model 2009d there are small significant positive associations between percentage of black student enrollment and both published in-state tuition and fees ($\beta=0.0000135$; $p<0.01$) and the squared independent variable derived from published in-state tuition and fees ($\beta=0.000000000451$; $p<0.001$). Additionally, being a public four-year institution in Michigan is associated with a decrease in the percentage of black student completions ($\beta=-0.0348$; $p<0.05$).

Figure 9 displays a graph of the impact of being a public four-year institution in Michigan on the percentage of black student completions from Model 2009d. The line in the graph indicates the fitted values, while the 95% confidence intervals are shaded in grey. The graph shows that schools that were not impacted by the MCRI, from our sample of schools in Kentucky and Michigan (meaning all schools in the two states except for public four-year institutions in Michigan) were associated with just under twelve percent black student completions, with 95% of those schools in the range from around ten to 13 percent. For MCRI-impacted schools, however, the black student completions were around seven percent, with a wider range of 95% of those schools being between two and eleven percent.

PROCEDURES AND RESULTS – YEAR 2012

For 2012, descriptive statistics for variables included in the multivariate analysis are available in Tables 26-28, with Table 26 and Table 27 showing a breakdown of descriptive statistics for the variables in the models for all universities in Kentucky and Michigan, respectively, and these sub-samples are quite similar. Mean black enrollments are 13 percent in both states, and completions are 13 percent and twelve percent in Kentucky and Michigan, respectively. The average published in-state tuition and fees are also similar, and in Kentucky, a slightly higher percentage of students are receiving any sort of financial aid. Table 28 displays descriptive statistics for the entire sample.

Table 29 displays the results of the ordinary least square regression of percentage of black student enrollments on whether the school was a Michigan public four-year institution, published in-state tuition and fees, and the percentage of students receiving any financial aid, Model 2012a. The Breusch-Pagan test indicated heteroscedasticity was

a problem for this model, and a log transformation of the dependent variable did not resolve this, so robust standard errors were used. See Figure 10 below for a residual vs. fitted plot. None of the independent variables were statistically significant predictors of the percentage of black students enrolled at the institutions in Model 2012a.

A power transformation of published in-state tuition and fees, however, changed that. In Model 2012b there are small significant positive associations between percentage of black student enrollment and both published in-state tuition and fees ($\beta=0.0000168$; $p<0.01$) and the squared independent variable derived from published in-state tuition and fees ($\beta=0.00000000049$; $p<0.001$).

Next, Table 30 displays the results of the ordinary least squares regression of the log of percentage of black student completions on whether the school was a Michigan public four-year institution, published in-state tuition and fees, and the percentage of students receiving any financial aid, Model 2012c. Robust standard errors were used to address heteroscedasticity, indicated by the Breusch-Pagan test. See Figure 11 below for a residual vs. fitted plot, also displaying the heteroscedasticity.

In Model 2012c, one independent variable was significant; being a public four-year institution in Michigan is associated with a decrease in the percentage of black student completions ($\beta=-0.0396$; $p<.05$). Additionally, A power transformation of published in-state tuition and fees had an impact. In Model 2012d there are small significant positive associations between percentage of black student enrollment and both published in-state tuition and fees ($\beta=0.0000135$; $p<0.001$) and the squared independent variable derived from published in-state tuition and fees ($\beta=0.000000000402$; $p<0.001$).

Additionally, being a public four-year institution in Michigan is associated with a decrease in the percentage of black student completions ($\beta=-0.048$; $p<0.01$).

Figures 12 and 13 are quite similar; they are graphs of the impact of being a public four-year institution in Michigan on the percentage of black student completions from Models 2012c and 2012d, respectively. In each graph, the line in the graph indicates the fitted values, while the 95% confidence intervals are again shaded in grey. The graphs show that schools that were not impacted by the MCRI, from our sample of schools in Kentucky and Michigan (meaning all schools in the two states except for public four-year institutions in Michigan) were associated with just over twelve percent black student completions, with 95% of those schools in the range from around eleven to 14 percent. For MCRI-impacted schools, however, the black student completions were around seven percent, with a wider range of 95% of those schools being between three and twelve percent, approximately.

DISCUSSION

Each hypothesis in this project relates to how effective diversity programs and initiatives are at universities as measured by percentage of African American student enrollments and completions. After investigating the impact of state and national context, the language and specificity of the policies, and the origins of the policies (top-down vs. bottom-up), one can view the outcomes of diversity programs with new insights.

Unfortunately, the case of UWO does not allow for an investigation into the effectiveness of its (relatively weak, as it pertains to visible minority citizens of Canada) diversity initiatives based on the dearth of data on students' racial backgrounds. Because

UWO does not track race data of students, it is impossible to see how diversity initiatives impact the admissions and completions of students of color generally, or black Canadian students more specifically. One could look at campus climate surveys and infer a connection to sense of belonging and retention among black Canadian students (Strayhorn 2012), but campus climate surveys were not available and would not contain racial data if they were available, because race data for students is not collected under the paradigm of racism-blind multiculturalism. This is problematic in terms of social justice, as marginalized student populations are effectively silenced in a HWCU that fails to systemically provide them a platform or voice.

Recall that trends for the University of Michigan and University of Kentucky, in terms of African American Enrollments and Completions are shown in Figure 2 and Figure 3. In Figure 2, there is a decline in black enrollments at UK from 2004-2005. This drop was discussed in numerous interviews. This represents declines based on adjustments made at UK to comply with the *Grutter* decision and, as one interviewee explained, the university administrators anticipating that the use of race would soon be banned and adjusting to that predicted reality. Similarly, the steady declines at UM correspond well to the narratives shared by UM faculty, staff, and students who discussed the challenges (or perhaps, made excuses) about the post-MCRI environment. Specifically, in terms of enrollment for UM, there is a decline that begins in approximately 2003, perhaps due in part to the *Grutter* and *Gratz* Supreme Court decisions and the publicity surrounding them, but the exact source of this decline was unclear. Nonetheless, in 2006 (when the MCRI passed), the drop continued before starting to level off around 2010 at slightly over 4% African American enrollment, down

from a high over 7% in the early 2000s. This differs from UK, which starts at nearly 5.5% black enrollment and approaches 7.0% as of 2012.

In terms of completions, which lag behind enrollments, there is a visible decline in completions beginning clearly in the year 2006 from a high just under 6.5% for UM, and down to under 4.0% as of 2012. On the other hand, UK African American completions vacillate between just under 4.0% to just over 5.0% during the period from 2000 to 2012.

What do these significant variables mean? There are two significant variables in all the models. Published in-state tuition and fees is significant in predicting the percentage of black enrollments in 2003, 2006, 2009, and 2012 in the equations that included the transformed variable (indicating negative skew in published in-state tuition and fees). Additionally, it was significant in all years in predicting completions in the models including the transformed variable. Interestingly, higher published in-state tuition and fees tended to be associated with higher black student enrollments and/or completions. Being that selective institutions tend to have higher tuition and fees, this result is consistent with research indicating that selectivity is associated with an increase in the probability of graduation for black students (Bowen & Bok 2000; Small and Winship 2007). As for enrollments, perhaps further research is required, but if higher tuition and fees are accompanied by financial aid packages, there is evidence that the explanation lies in the financial aid. The variable “percentage of students receiving financial aid” was not significant in the models, but a more useful variable would likely involve how much financial aid (e.g. financial aid received as a percentage of published in-state tuition and fees), such that for black students in schools with higher tuition, the

cost was also less. This could alternatively mean that black students accepted to multiple schools are choosing to enroll in higher cost schools, but again, it seems likely that financial aid is a factor or that the prestige of the more expensive school rationalizes the decision.

The other important significant independent variable was the variable indicating public four-year institutions in Michigan (that were most directly impacted by the MCRI). This supported my initial prediction that the MCRI was an impediment to the pursuit of increased black student completions at universities in Michigan, including UM. Interestingly, research indicates that affirmative action bans increase white student enrollment and decrease black student enrollment at selective institutions (Hinrichs 2012), so seeing UM's decline in completions three and six years after the MCRI is not surprising if enrollments were dropping in the mid-2000s, but this research indicates these bans do not impact enrollments at the "typical college." In Michigan, however, the ban impacted all four-year institutions in 2009 and 2012 for black completions. These results are consistent with Hinrichs (2012), in that enrollments at UM dropped after the MCRI (with UM being a selective institution), but overall, there was not a statistically significant impact on four-year public institutions in Michigan. This data complicates and adds to Hinrichs' study, however, as the focus of that study was exclusively enrollments, and the models here suggest that the impact of affirmative action bans in Michigan is associated with a decrease in African American student completions at selective and "typical" state universities alike.

In subsequent work, Hinrichs (2014) finds based on a national sample of IPEDS data which excludes Michigan, that the net effect of affirmative action bans is a decrease

in underrepresented minorities graduating, but that state bans are associated with an increase in graduation rates at selective institutions, which he argues is likely due to the impact the bans have on changing the composition of students of color. Further, this is outweighed by the number of students displaced from selective universities due to affirmative action (Hinrichs 2014). My research does not address graduation rates, finds that black completions in Michigan were negatively impacted at state universities in Michigan after the MCRI banned affirmative action, reflective of Hinrichs' finding on displaced students. This study did not review the graduation rates at UM, so it is unclear whether, as a selective institution, UM was positively impacted by the affirmative action ban in terms of black student graduation rates. To that end, further research is required, but this study and the work of Hinrichs indicate that affirmative action bans have negative impacts for black student completions in selective colleges in states with bans. This research differs, in showing that black student completions in Michigan, even in less-selective colleges (as measured through U.S. News & World Report Rankings that Hinrichs utilizes), decreased after the affirmative action ban. So while Hinrichs finds a decrease in black graduates of selective institutions in states with bans and a decrease in black enrollments, this research shows a decrease in black student completions in all public four-year institutions in Michigan after the MCRI (Hinrichs 2012; Hinrichs 2014).

Further, it is possible that all Michigan public four-year institutions were negatively impacted initially by the “destabilizing event” that was the passage of the MCRI, but would recover after 2012 when the “reactive mobilization” and “shift in the strategic alignment” set in based on the new normal of not considering race (McAdam

and Scott 2005). Following up with additional modeling post-2012 would be necessary to explore this possibility.

There were external factors for UK and UM in each of their state contexts, some of which are not reflected in the preceding models. For UK, *The Kentucky Plan* was significant. The external mandate to desegregate produced policies that were effective in achieving that goal, which aligned with how this study defines a successful diversity program. Absent this plan, what would UK's trajectory have looked like? It is difficult to speculate, but reasonable to suggest the trajectory would have more closely resembled UM. Why? Interviewees noted that in the wake of the *Grutter* and *Gratz* cases in the U.S. Supreme Court, and around the time the MCRI was gaining momentum, UK administrators made the decision to remove explicit references to race in key areas. For example, a scholarship that was targeted for underrepresented minority students (as defined by the Kentucky Council on Postsecondary Education as black, Latino, Native American, or those with two or more races) was broadened in the mid-2000s to not be restricted in any way by race. Instead, applicants are asked to respond to an essay question and explain how they will contribute to "diversity" at UK. The amorphous and abstract concept of diversity allows anyone who can creatively respond to have access to these funds. Without the counter-pressure of the desegregation mandate, therefore, the change to financial aid and other similar changes made at UK by administrators who expected their use of race would soon be prohibited, would likely have had similar consequences to what happened at UM. By making these changes sooner, UK administrators hoped to avoid the shock and the painful adjustment, but the counter-pressure of the desegregation mandate meant that internally there were still some specific

race-related metrics and targets that were used. How else would UK be able to report back to the Council on Postsecondary Education regarding their progress toward fulfilling the race-specific requirements of the mandate if they were truly required to be race-neutral?

For UM, a similar counterfactual scenario is useful. What would Figure 2 and Figure 3 have looked like if the MCRI had not passed? This is perhaps a more complicated question. When looking at enrollments, UM had a decline in black student enrollment around the beginning of the 2000s. This timeline coincides with the very prominent court cases, *Gratz* and *Grutter*, concerning the use of race in admissions for undergraduates and law school applicants, respectively. It seems possible that these cases resulted in a decrease in applications of black students to UM, but that data was not available, unfortunately; prior research indicates that an affirmative action ban can result in lower black student applications, but does not detail what the impact of being involved in prominent Supreme Court cases related to affirmative action is (Dickson 2006). Regardless, the decline that began in the early 2000s (in Figure 2) became substantially steeper in the middle and late 2000s, likely due, at least partially, to the impact of the MCRI and how UM responded (whether legitimately constrained or using the MCRI as an excuse for ineffective action). Had the MCRI not passed, I would anticipate that the decline at UM in the early 2000s would level off and stabilize around the 7% mark. The destabilization caused by the court cases would level off and the university would adapt, as they were less of a shock (McAdam and Scott 2005). As for Figure 3, the completions tend to show a similar pattern to enrollments, but lag behind. However, completions increased from around 2003 to 2006, suggesting that students admitted from around

1999-2002 were graduating at increasingly high rates, and likely indicating a higher retention for students at that time, as a percentage of the student body. This makes sense, as the decline after 2006 would correspond to the decrease in enrollments approximately four years prior.

These two states, and these two institutions, however, do not reflect the impact of race-based policy and race-neutral policy in every context. Each state and each institution has its own story. While the research done in Kentucky, Michigan, and in Ontario in this project have helped tell a more complete story, there are 48 other states in the U.S. Figure 14 and Figure 15 below provide additional context:

The above two graphs show African American enrollment and completion figures for public flagship universities in states with bans on affirmative action from 2000 to 2012. The data are somewhat inconsistent as some states (e.g. New Hampshire, Arizona) show slight increases while others show decreases. Some of this variation, however, is attributable in part to when the ban on affirmative action went into effect. For example, bans went into effect in Texas and California in 1996, Washington in 1998, Florida in 1999, Georgia in 2000, Michigan in 2006, Nebraska in 2007, Arizona in 2010, New Hampshire in 2011, and Oklahoma in 2012. As a result, Michigan, Nebraska, Arizona, and New Hampshire are the only institutions that underwent this shift during the 2000-2012 period, but Arizona and New Hampshire did so late in the period that there would be no impact on completions in 2012, and Oklahoma's pattern from 2000-2012 is not the result of the affirmative action ban. Still, among this group, the University of Michigan had the most dramatic decline, but this fits with the idea that these bans impact selective

institutions black student enrollment and likely have little to no impact on “typical colleges” (Hinrichs 2012).

At first glance in Figure 14 and Figure 15, it may appear that most of the universities in states with bans on affirmative action saw a decline in black student enrollments and completions, but the University of Florida appears to have had a slight increase in completions and elevated numbers overall compared to Michigan. As a southern state like Kentucky, Florida was also under a desegregation order for violation of Title VI. As affirmative action was banned by executive order of Jeb Bush, Florida implemented a “Talented Twenty” program (similar to Texas Top 10) at the beginning of the period of this study (Colburn, Young & Yellen 2008). Recall that Florida’s ban on affirmative action took place in 1999, prior to the start of the period that this study focuses on. Black student enrollments in Florida fluctuated during the period from 2000-2012, beginning at 7.31% in 2000, peaking at 8.45% in 2009, and dropping to 6.96% in 2012. As for completions, there appears to be a general increase, from 5.51% in 2000 to a high of 7.67% in 2011 before dropping slightly to 6.86% in 2012. So during the period from 2000-2012, black student enrollments, as a percentage, at Florida declined 0.35%, and completions increased 1.35%. This rise in black student completions around 2011-2012 likely corresponds to the rise in black student enrollments in from 2007-2009 and those students graduating, however, this could also indicate higher rates of retention and possibly an improved campus climate as far as racial diversity is concerned. Still, this net change in enrollments during the period is only 0.35%, and if the data were extended past 2012, the likely result would be that the elevated levels of completions in 2012 would decline in a way that corresponds with the decline in black student enrollments after

2009. Additionally, Florida is not as selective of an institution as UM, and as a result, research indicates black enrollments are less likely to be impacted by the ban there (Hinrichs 2012). Also, the state of Florida did some things well in light of the affirmative action ban; their case suggests that implementing percentage plans is better than not doing so, and since Florida paired their percentage plan with financial aid (e.g., Talented Twenty students are considered a priority for the awarding of Florida Student Assistance Grants), the plan was particularly impactful (Dickson 2006). This is similar to the trend in Texas, where black enrollments took an initial hit, but returned to nearly the levels they were at under affirmative action in subsequent years (Alon & Tienda 2007; Dickson 2006)

Additionally, it is important, in viewing these figures, to keep in mind the scale of the Y-axis. In the figures that show national public flagships with affirmative action bans, none have above 9% black enrollments or completions, and in the figures that display average percentages for states with and without affirmative action bans, the averages remain below 5%. Kanter, and contemporaries, would argue that this alone is problematic, as black students at HWCUs are token populations and the social psychological consequences of being a token are detrimental (Kanter 1977; Wingfield 2012). Part of this challenge, however, is that by sheer numbers, African Americans only make up approximately 14% of the U.S. population, so experiences of tokenization are likely to be frequent, and as a population, black people are likely perpetual tokens in many states and localities where they constitute less than 15% of the population. The solution to that tokenization would then be an increased segregation, which is problematic as well.

Another way to look at the results involves comparing average African American student enrollment and completion numbers for states with bans on affirmative action, states without bans, and overall rates, as shown in Figure 16 and Figure 17. In reviewing these trends, it is clear that states with bans on affirmative action tend to have lower African American enrollments, on average, for the entire period from 2000-2012, and tend to have fewer completions beginning around the midpoint of this time period. Of course, there are factors that complicate this, including demographics of the state, selectivity of the institution (e.g., if they draw students from more diverse states, or conversely if that selectivity works against black students disproportionately attending schools with lower resources), and a number of other factors.

So even among states with affirmative action bans, UM appears to have suffered a more extreme loss in black students than others, but the state context was not significant in the regression models predicting enrollment. Perhaps this could indicate that, as compared to other institutions, the University of Michigan's policies were exceptionally aggressive and as a result were more impacted when the MCRI passed. More specifically, it could indicate that UM policies relied explicitly on race to a much larger extent than others that, although they considered race, were able to absorb the impact of bans on explicit use of race with less ramifications on black student enrollments and completions. Since affirmative action bans tend to impact highly selective institutions more in terms of black student enrollment, perhaps Michigan is more representative of highly selective institutions and their ways of using race in admissions decisions differ from other less selective institutions. Further research would be helpful in explaining the whether or not this is the case, and the cause of this difference.

WHAT ABOUT CANADA?

As noted previously, Canadian universities largely abstain from collecting race data on students. For purposes of this study, then, the outcomes of diversity policies at the University of Western Ontario, in terms of black student enrollments and completions, is impossible to determine. The data is not available.

This lack of race data has major implications that go beyond the scope of this study alone. Certainly this impacts the ability to do a comprehensive and robust cross-country comparison, but it has real impacts for students of color at Canadian HWCUs as well. In this study, for example, several respondents noted instances of bias or racism at UWO, similar to the experiences commonly documented at HWCUs in the U.S. (Feagin, Vera & Imani 1996). For black students at HWCUs in the U.S., there tend to be lower retention and graduation rates than for white students; some people attempt to attribute this to college-readiness alone, but campus climate can also play a major role. When students do not feel a sense of belonging at an institution, they are less likely to persist (Strayhorn 2012). UWO is unable to determine if that is a problem, but interview data in this study shows that bias incidents occur at UWO. As a result, the University cannot determine the impact of these incidents, or this climate, on the experience of students of color.

Additionally, the presence of Jean-Phillipe Rushton and the university's ultimate defense of Rushton's right to academic freedom supported a white supremacist faculty member at their institution during the period of this study (as Rushton died in late 2012). His research agenda and publications (see Rushton 2000) were unlikely to contribute

positively to the experience of black people at UWO, nor was the publicity he drew likely to appeal to potential black applicants for admission.

Nonetheless, because there is no race data, this study cannot reach a scientific conclusion. Indeed, this lack of data hinders the ability to explore variation in student experiences, retention, graduation, access to funding, and many other important factors. I contend that this is, at least partially, due to Canadian multiculturalism. Although this multiculturalism is often lauded as a major improvement when compared to the assimilationist perspective that dominates the U.S., this pride in multiculturalism ignores some realities. Pride in multiculturalism leads to a false sense of accomplishment in terms of racial equity, neglecting the need to track race data out of the false perception that racial inequality is not a significant problem. The effect is similar to that of colorblind racism and is what I am calling racism-blind multiculturalism.

But multiculturalism has another impact as well: a shift in the way race is conceptualized in Canada versus the U.S. As my interviews displayed, respondents at UWO tended to think of race in terms of nationality. This makes sense when one considers that one of the primary diversity initiatives referenced in the interviews was increasing the quantity of international students at UWO. Equating race with nationality can be seen as a positive in that people are not artificially homogenized into racial groups, but are identified by nationality and culture. Racial classification is always a contested social and political process, and the U.S. system is by no means an ideal of any sort; the point here is that racial classification in Canada is informed by the multiculturalist perspective. This is reflected in how the U.S. system, which is more assimilationist, artificially homogenizes diverse groups (like “Asian” or “Latino”) into

broad racial categories while respondents from UWO tended to identify people with specific countries.

CONCLUSION

On the whole, the University of Kentucky outperformed the University of Michigan in its pursuit of enrolling and graduating higher numbers of black students, and the MCRI had a negative impact on black student graduations in 2009 and 2012. This partially explains the declining completions shown in Figure 3, however Figure 2 shows a decline in enrollments, and research indicates that bans on affirmative action impact black enrollments at selective institutions, which would explain Figure 2 (Hinrichs 2012). Because the variable that indicated the MCRI included all public four-year institutions in Michigan regardless of their selectivity, the MCRI was not significant in predicting black enrollments. This is consistent with Hinrichs (2012), but supplements that research in suggesting that although black enrollments are only impacted by affirmative action bans in selective institutions, in Michigan, the ban negatively impacted black student completions for all public four-year institutions regardless of selectivity. Further, this connects with Hinrichs' subsequent work finding that affirmative action bans are associated with fewer black admissions or enrollments and fewer black completions at selective universities, and adds that in Michigan, the MCRI is associated with a decrease in black student completions at all public four-year institutions.

On average, states that banned affirmative action had lower black student enrollment and graduation figures, but the averages do not tell the story of these specific institutions. Indeed, the mandate on the University of Kentucky to desegregate resulted in concrete actions toward explicit targets, while the University of Michigan could not

use such targets. At the same time, student movements and student activism historically generated significant change and gains for students of color at UM, but the legal constraints and national attention focused on the institution stifled those gains post-2006. In fact, Michigan saw a larger and steeper decline in black student enrollments and retentions than other public flagship institutions in states with affirmative action bans, suggesting three possibilities (or a combination of these three possibilities): (1) that perhaps UM was more reliant on the explicit use of race when compared to other institutions, that (2) due to selectivity, they were more limited in the other options they could pursue, or that (3) UM was not putting forth sincere effort at adjusting and was instead looking at the MCRI as an excuse to let black enrollments dwindle. As mentioned, many of the programs in Michigan were generated in dialogue with students or with some form of activism or movement, but they tended to be absent the legal accountability that the *Kentucky Plan* had. Finally, while the political climate in Canada and at the University of Western Ontario seems progressive by many measures when compared to the U.S., the absence of race data and relative dearth of knowledge about diversity initiatives among staff leaves more questions than answers, and provides more evidence to support the critique of racism-blind multiculturalism. A summary of these results is available in Table 30.

Ultimately, this quantitative analysis points clearly to the importance of state context (the MCRI and its impact); this ties directly to and confirms H₁. In the restrictive state context of Michigan where consideration of race in admissions and financial aid decisions is prohibited, this is associated with a decrease in the percentage of African American student completions. Further, it suggests that higher cost (and perhaps more

selective) institutions enroll and complete a higher percentage of black students in both states, but that for black enrollments, as a selective institution, it appears UM was uniquely negatively impacted by the MCRI.

Looking at overall trends, it appears Kentucky was uniquely successful during the period of 2000-2012 in increasing black student enrollments and completions. Strategies outlined in previous chapters (including increasing out-of-state recruiting), and other efforts like those developed by the PCD in response to the mandate from the Kentucky Council on Postsecondary Education were effective as a factor in increasing black student enrollments and completions. As a state without an affirmative action ban, Kentucky was advantaged relative to Michigan as average states with bans saw lower levels of black enrollments and completions, generally. See Table 31 for a summary of this chapter's findings.

Table 10, Descriptive sample characteristics (IPEDS data for KY for year 2000, N=87)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.09	0.09	0 - 0.44
Total percent black non-hispanic completions	-	0.07	0.09	0 - 0.44
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	-	-	-	-
Other institutions in Michigan or Kentucky	100.00	-	-	-
Published in-state tuition and fees	-	5,506.04	4,308.45	199 - 14,250
Percentage of students receiving any financial aid	-	84.36	14.77	37 - 100

Table 11, Descriptive sample characteristics (IPEDS data for MI for year 2000, N=128)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.09	0.09	0 - 0.42
Total percent black non-hispanic completions	-	0.09	0.09	0 - 0.41
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	16.41	-	-	-
Other institutions in Michigan or Kentucky	83.59	-	-	-
Published in-state tuition and fees	-	6,648.52	4,663.09	1,250 - 19,674
Percentage of students receiving any financial aid	-	74.10	21.71	19 - 100

Table 12, Descriptive sample characteristics (IPEDS data for MI and KY for year 2000, N=215)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.09	0.09	0 - 0.44
Total percent black non-hispanic completions	-	0.08	0.09	0 - 0.44
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	9.77	-	-	-
Other institutions in Michigan or Kentucky	90.23	-	-	-
Published in-state tuition and fees	-	6,186.09	4,540.34	199 - 19,674
Percentage of students receiving any financial aid	-	78.29	19.79	19 - 100

Table 13, OLS regression of percentage African American student enrollments on Michigan public four-year institution, tuition, and percentage of students receiving financial aid for year 2000 (n=119)

	Model 2000a
MCRI School	0.0049 (0.02)
Published in-state tuition and fees	0.0000 (0.00)
Percentage of students receiving any financial aid	-0.0004 (0.00)
R^2	0.02
F	0.89

* = p<0.05; **=p<0.01; ***=p<0.001 (two-tailed tests)

Note: Unstandardized coefficients are presented, standard errors in parentheses

Table 14, OLS regression of log of African American student completions
on Michigan public four-year institution, tuition, percentage of
students receiving financial aid for year 2000 (n=119)

Model 2000b	
MCRI School	-0.0011 (0.01)
Published in-state tuition and fees	**0.0000 (0.00)
Percentage of students receiving any financial aid	-0.0004 (0.00)
Published in-state tuition and fees ²	-
R^2	0.06
F	*2.47

* = p<0.05; **=p<0.01; ***=p<0.001 (two-tailed tests)

Note: Unstandardized coefficients are presented, standard errors in parentheses

Table 15, Descriptive sample characteristics (IPEDS data for MI and KY for year 2003, N=223)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.10	0.10	0 - 0.48
Total percent black non-hispanic completions	-	0.08	0.09	0 - 0.48
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	9.42	-	-	-
Other institutions in Michigan or Kentucky	90.58	-	-	-
Published in-state tuition and fees	-	7,860.27	5,249.61	507 - 22,908
Percentage of students receiving any financial aid	-	84.32	15.60	29 - 100

Table 16, OLS regression of percentage African American student enrollments on Michigan public four-year institution, tuition, and percentage of students receiving financial aid for year 2003 (n=155)

	Model 2003a	Model 2003b
MCRI School	-0.0102 (0.02)	-0.0146 (0.02)
Published in-state tuition and fees	0.0000 (0.00)	***0.0000 (0.00)
Percentage of students receiving any financial aid	-0.0004 (0.00)	-0.0005 (0.00)
Published in-state tuition and fees ²	-	***0.0000 (0.00)
R^2	0.01	0.09
F	0.53	**3.85

* = p<0.05; **=p<0.01; ***=p<0.001 (two-tailed tests)

Note: Unstandardized coefficients are presented, standard errors in parentheses

Table 17, OLS regression of African American student completions on Michigan public four-year institution, tuition, percentage of students receiving financial aid for year 2003 (n=155)

	Model 2003c	Model 2003d
MCRI School	-0.0090 (0.02)	-0.0121 (0.02)
Published in-state tuition and fees	0.0000 (0.00)	**0.0000 (0.00)
Percentage of students receiving any financial aid	-0.0002 (0.00)	-0.0003 (0.00)
Published in-state tuition and fees ²	-	**0.0000 (0.00)
R^2	0.01	0.08
F	0.53	*3.13

* = p<0.05; **=p<0.01; ***=p<0.001 (two-tailed tests)

Note: Unstandardized coefficients are presented, standard errors in parentheses

Table 18, Descriptive sample characteristics (IPEDS data for MI and KY for year 2006, N=237)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.10	0.10	0 - 0.45
Total percent black non-hispanic completions	-	0.09	0.09	0 - 0.49
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	8.86	-	-	-
Other institutions in Michigan or Kentucky	91.14	-	-	-
Published in-state tuition and fees	-	9,370.67	6,234.27	775 - 27,054
Percentage of students receiving any financial aid	-	83.03	18.56	0 - 100

Table 19, OLS regression of percentage African American student enrollments on Michigan public four-year institution, tuition, and percentage of students receiving financial aid for year 2006 (n=165)

	Model 2006a	Model 2006b
MCRI School	-0.0143 (0.02)	-0.0199 (0.02)
Published in-state tuition and fees	0.0000 (0.00)	***0.0000 (0.00)
Percentage of students receiving any financial aid	-0.0002 (0.00)	-0.0003 (0.00)
Published in-state tuition and fees ²	-	***0.0000 (0.00)
	R^2	0.01
	F	0.58
		***6.18

* = p<0.05; **=p<0.01; ***=p<0.001 (two-tailed tests)

Note: Unstandardized coefficients are presented, standard errors in parentheses

Table 20, OLS regression of African American student completions on Michigan public four-year institution, tuition, percentage of students receiving financial aid for year 2006 (n=165)

	Model 2006c	Model 2006d
MCRI School	-0.0145 (0.01)	-0.0186 (0.01)
Published in-state tuition and fees	0.0000 (0.00)	***0.0000 (0.00)
Percentage of students receiving any financial aid	-0.0003 (0.00)	0.0004 (0.00)
Published in-state tuition and fees ²	-	***0.0000 (0.00)
R^2	0.01	0.09
F	0.83	**3.89

* = p<0.05; **=p<0.01; ***=p<0.001 (two-tailed tests)

Note: Unstandardized coefficients are presented, robust standard errors in parentheses

Table 21, Descriptive sample characteristics (IPEDS data for KY for 2009, N=97)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.10	0.10	0 - 0.47
Total percent black non-hispanic completions	-	0.11	0.10	0 - 0.50
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	-	-	-	-
Other institutions in Michigan or Kentucky	100.00	-	-	-
Published in-state tuition and fees	-	11,277.60	7,162.02	876 - 31,200
Percentage of students receiving any financial aid	-	94.10	7.80	63 - 100

Table 22, Descriptive sample characteristics (IPEDS data for MI for 2009, N=155)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.12	0.11	0 - 0.48
Total percent black non-hispanic completions	-	0.11	0.10	0 - 0.46
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	13.55	-	-	-
Other institutions in Michigan or Kentucky	86.45	-	-	-
Published in-state tuition and fees	-	11,425.64	7,730.38	2,040 - 32,643
Percentage of students receiving any financial aid	-	87.93	14.02	0 - 100

Table 23, Descriptive sample characteristics (IPEDS data for MI and KY for 2009, N=252)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.12	0.11	0 - 0.48
Total percent black non-hispanic completions	-	0.11	0.10	0 - 0.50
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	8.33	-	-	-
Other institutions in Michigan or Kentucky	91.67	-	-	-
Published in-state tuition and fees	-	11,366.95	7,488.87	876 - 32,643
Percentage of students receiving any financial aid	-	90.37	12.31	0 - 100

Table 24, OLS regression of percentage African American student enrollments on Michigan public four-year institution, tuition, and percentage of students receiving financial aid for year 2009 (n=157)

	Model 2009a	Model 2009b
MCRI School	-0.0103 (0.02)	-0.0193 (0.02)
Published in-state tuition and fees	0.0000 (0.00)	***0.0000 (0.00)
Percentage of students receiving any financial aid	0.0006 (0.00)	0.004 (0.01)
Published in-state tuition and fees ²	-	***0.0000 (0.00)
R^2	0.01	0.12
F	0.77	5.07

* = p<0.05; **=p<0.01; ***=p<0.001 (two-tailed tests)

Note: Unstandardized coefficients are presented, standard errors in parentheses

Table 25, OLS regression of African American student completions on Michigan public four-year institution, tuition, percentage of students receiving financial aid for year 2006 (n=157)

	Model 2009c	Model 2009d
MCRI School	-0.0264 (0.01)	*-0.0348 (0.02)
Published in-state tuition and fees	0.0000 (0.00)	***0.0000 (0.00)
Percentage of students receiving any financial aid	0.0007 (0.00)	0.0005 (0.00)
Published in-state tuition and fees ²	-	***0.0000 (0.00)
R^2	0.03	0.12
F	2.45	***6.01

* = p<0.05; **=p<0.01; ***=p<0.001 (two-tailed tests)

Note: Unstandardized coefficients are presented, robust standard errors in parentheses

Table 26, Descriptive sample characteristics (IPEDS data for KY for 2012, N=104)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.13	0.11	0 - 0.49
Total percent black non-hispanic completions	-	0.13	0.11	0 - 0.50
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	-	-	-	-
Other institutions in Michigan or Kentucky	100.00	-	-	-
Published in-state tuition and fees	-	13,549.46	8,039.21	3,360 - 35,000
Percentage of students receiving any financial aid	-	94.15	9.38	50 - 100

Table 27, Descriptive sample characteristics (IPEDS data for MI for 2012, N=168)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.13	0.12	0 - 0.50
Total percent black non-hispanic completions	-	0.12	0.10	0 - 0.47
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	12.50	-	-	-
Other institutions in Michigan or Kentucky	87.50	-	-	-
Published in-state tuition and fees	-	13,041.26	8,610.88	2,040 - 37,810
Percentage of students receiving any financial aid	-	90.24	11.21	44 - 100

Table 28, Descriptive sample characteristics (IPEDS data for MI and KY for 2012, N=272)

	Proportion	Mean	SD	Range
Total percent black non-hispanic enrollment	-	0.12	0.12	0 - 0.50
Total percent black non-hispanic completions	-	0.12	0.11	0 - 0.5
Michigan Civil Rights Initiative Variables				
Public 4-year institutions in Michigan	7.72	-	-	-
Other institutions in Michigan or Kentucky	92.28	-	-	-
Published in-state tuition and fees	-	13,247.45	8,363.89	2,040 - 37,810
Percentage of students receiving any financial aid	-	91.75	10.70	44 - 100

Table 29, OLS regression of percentage African American student enrollments on Michigan public four-year institution, tuition, and percentage of students receiving financial aid for year 2012 (n=175)

	Model 2012a	Model 2012b
MCRI School	-0.0237 (0.02)	-0.0340 (0.02)
Published in-state tuition and fees	0.0000 (0.00)	***0.0000 (0.00)
Percentage of students receiving any financial aid	0.0007 (0.00)	0.0001 (0.00)
Published in-state tuition and fees ²	-	***-0.0000 (0.00)
<i>R</i> ²	0.01	0.14
<i>F</i>	1.32	***9.77

* = p<0.05; **=p<0.01; ***=p<0.001 (two-tailed tests)

Note: Unstandardized coefficients are presented, robust standard errors in parentheses

Table 30, OLS regression of African American student completions on Michigan public four-year institution, tuition, percentage of students receiving financial aid for year 2012 (n=175)

	Model 2012c	Model 2012d
MCRI School	*-0.0396 (0.02)	** -0.0480 (0.01)
Published in-state tuition and fees	0.0000 (0.00)	***0.0000 (0.00)
Percentage of students receiving any financial aid	0.0007 (0.00)	0.0003 (0.00)
Published in-state tuition and fees ²	-	***0.0000 (0.00)
<i>R</i> ²	0.03	0.12
<i>F</i>	*3.31	***8.12

* = p<0.05; **=p<0.01; ***=p<0.001 (two-tailed tests)

Note: Unstandardized coefficients are presented, robust standard errors in parentheses

Table 31, Summary of Impact of Contextual and University Factors (Including the Source of an Initiative) on Black Enrollments and Completions from Quantitative Analysis

	<u>UK</u> Liberal to Conservative	<u>UM</u> Liberal to Conservative	<u>UWO</u> Liberal
State/Provincial Politics (H ₁)			
Ban on Use of Race	No	Yes	Not applicable
Desegregation Mandate (H ₃ & H ₄)	Yes	None	None
University Variables			
Elite/Selective University	No	Yes	No
Dependent Variables			
Black enrollment	Moderate / high	Low / Moderate	Unknown, probably low
Black completions	Moderate / high	Low	Unknown, probably low

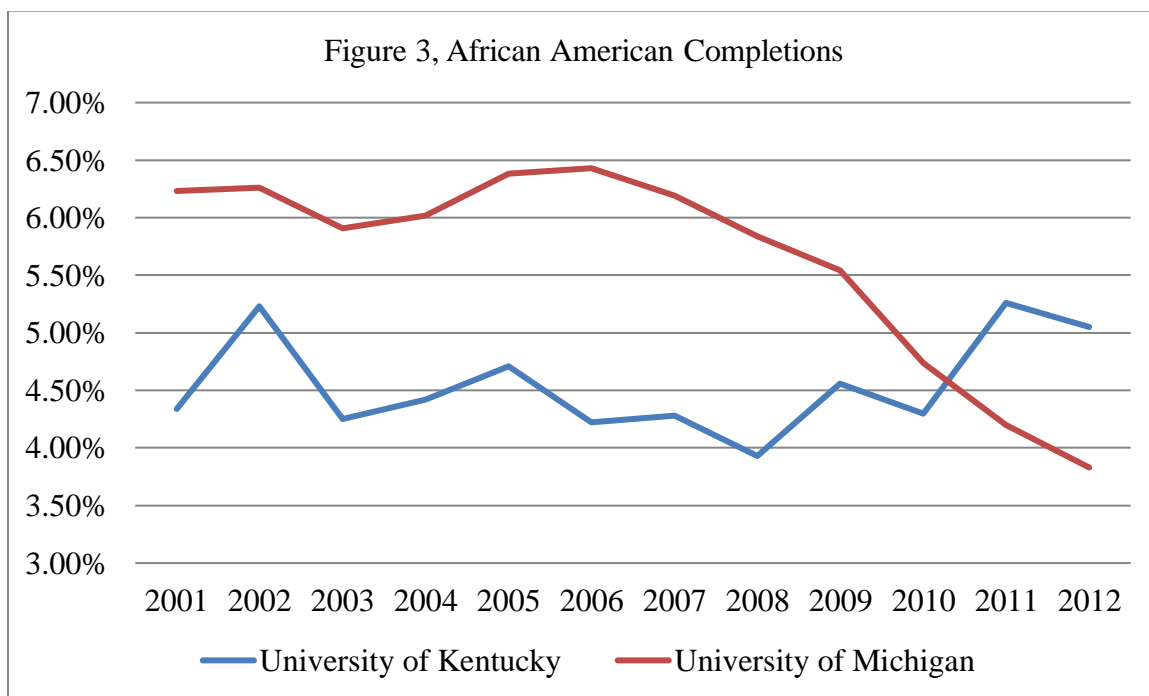
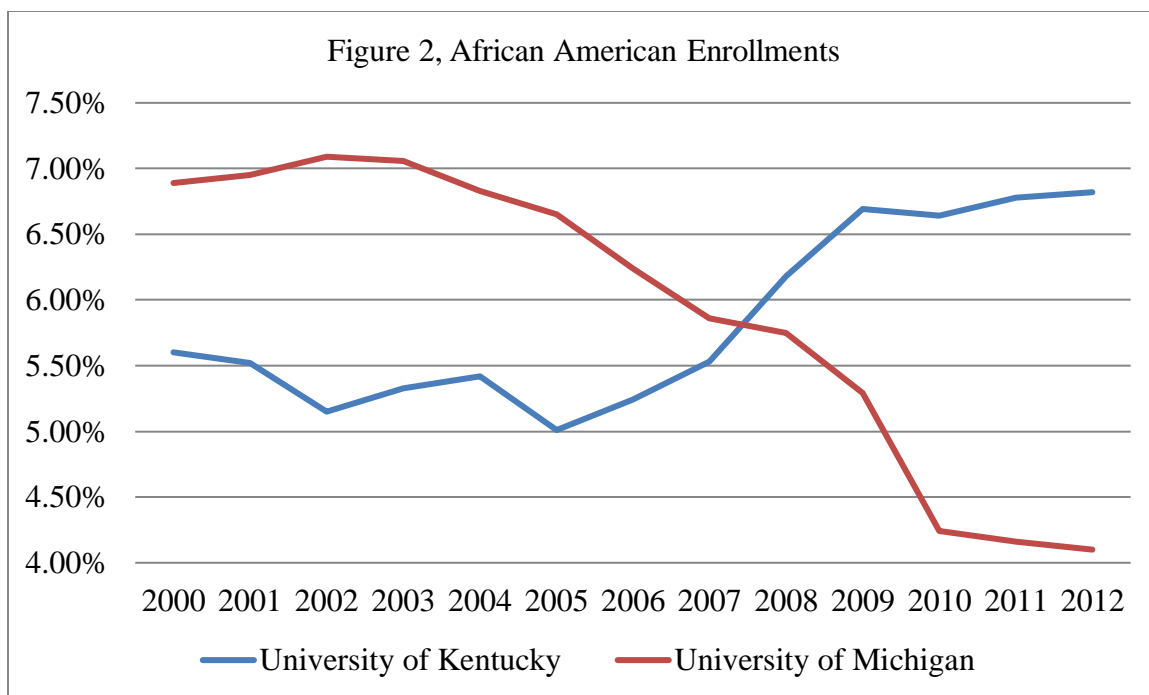


Figure 6, Residual vs. fitted plot for Model 2000b

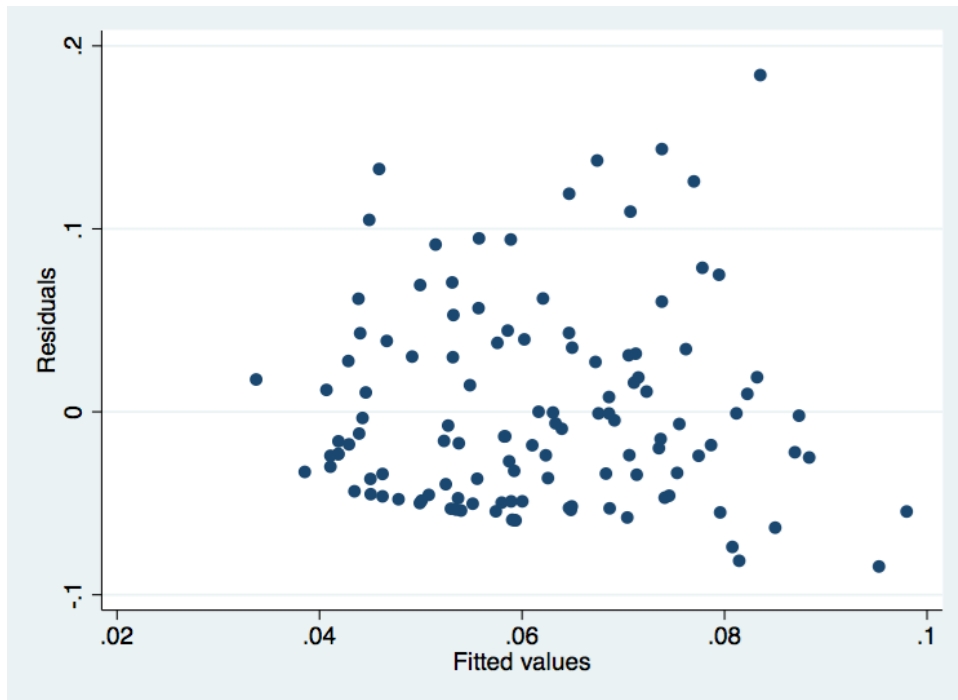


Figure 7, Residual vs. fitted plot for Model 2006c

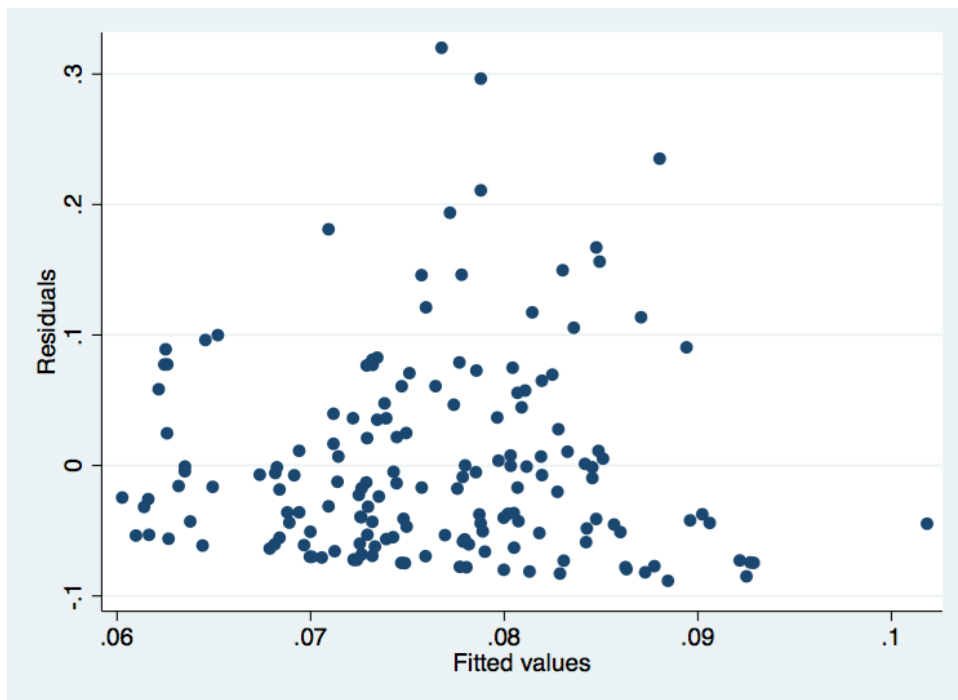


Figure 8, Residual vs. fitted plot for Model 2009c

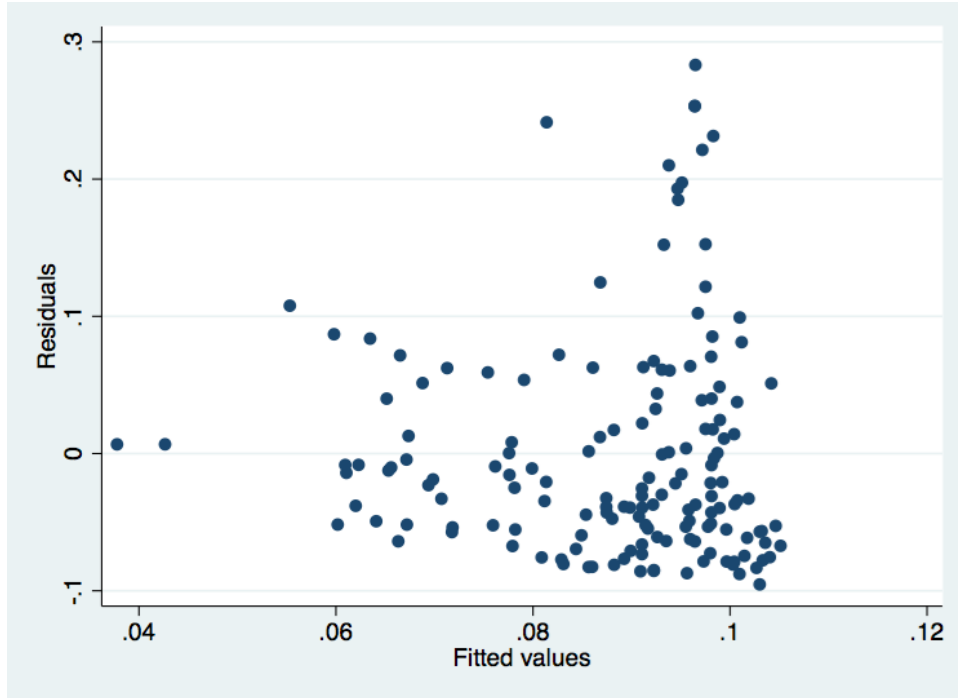


Figure 9, Twoway linear prediction plot with 95% confidence interval for the dummy variable for being a public four-year institution and Michigan (impacted by the MCRI) on percentage of black completions in Table 25, Model 2009d

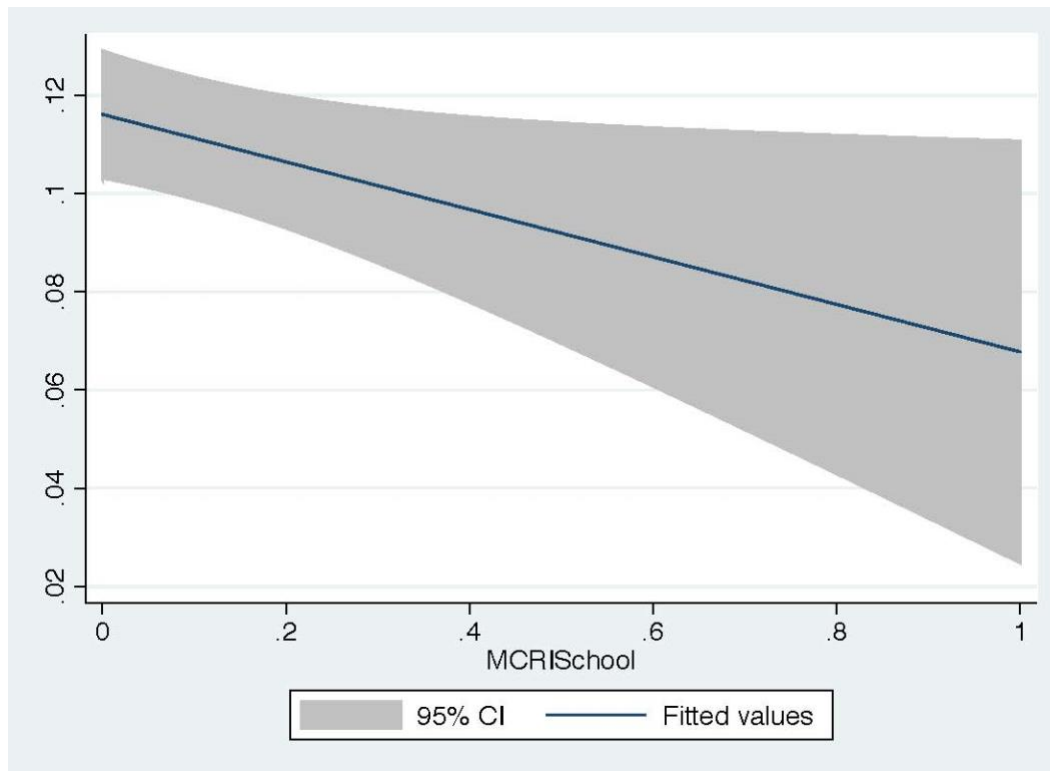


Figure 10, Residual vs. fitted plot for Model 2012a

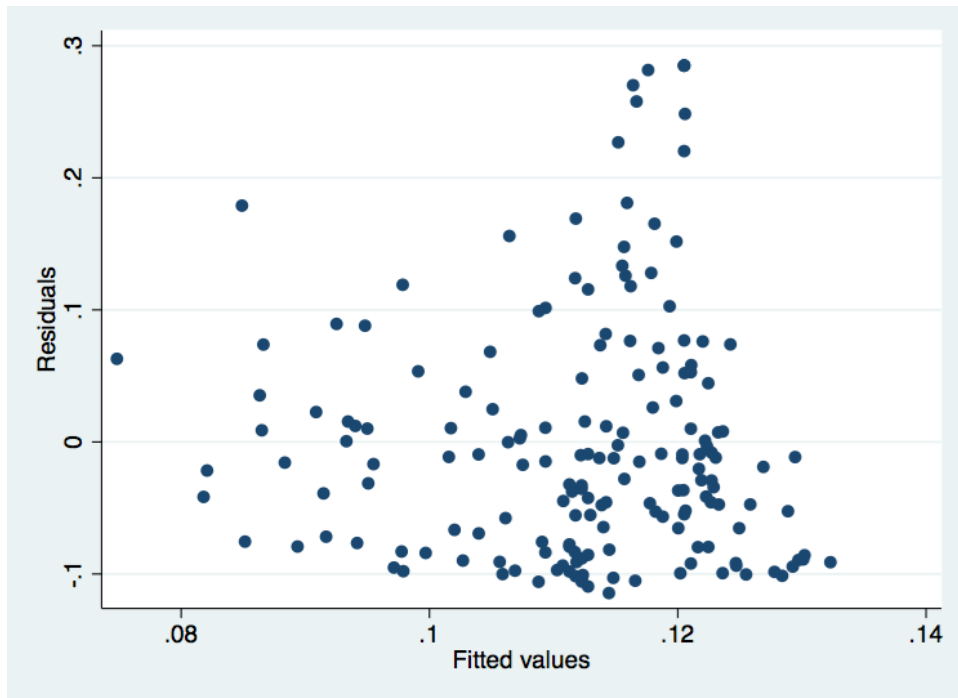


Figure 11, Residual vs. fitted plot for Model 2012c

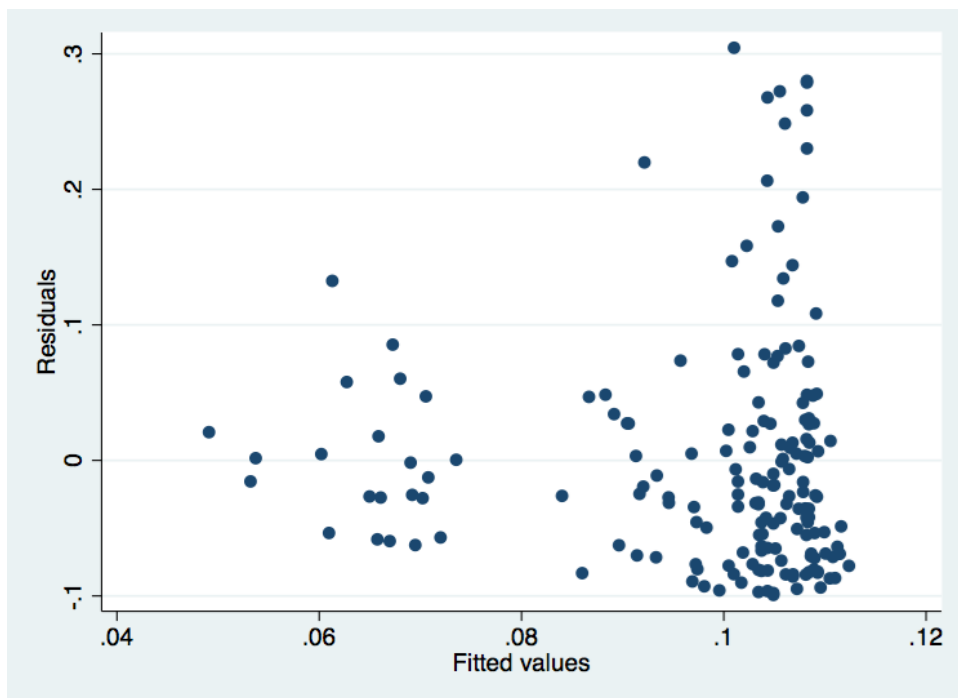


Figure 12, Twoway linear prediction plot with 95% confidence interval for the dummy variable for being a public four-year institution and Michigan (impacted by the MCRI) on percentage of black completions in Table 30, Model 2012c

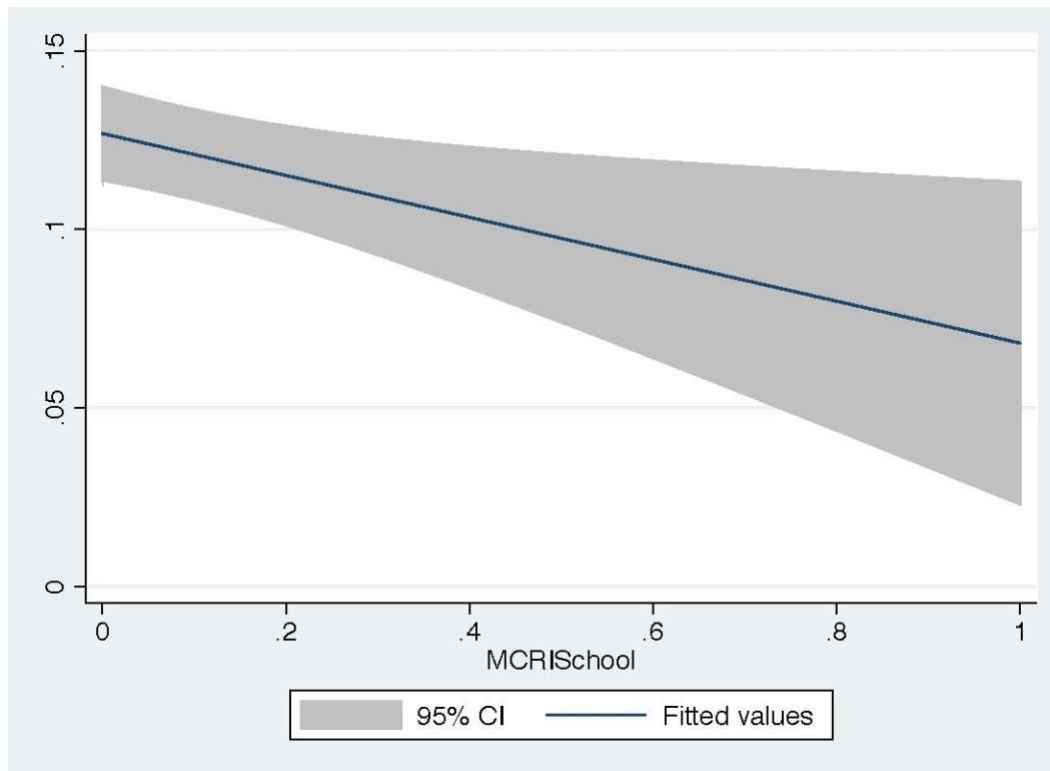


Figure 13, Twoway linear prediction plot with 95% confidence interval for the dummy variable for being a public four-year institution and Michigan (impacted by the MCRI) on percentage of black completions in Table 30, Model 2012d

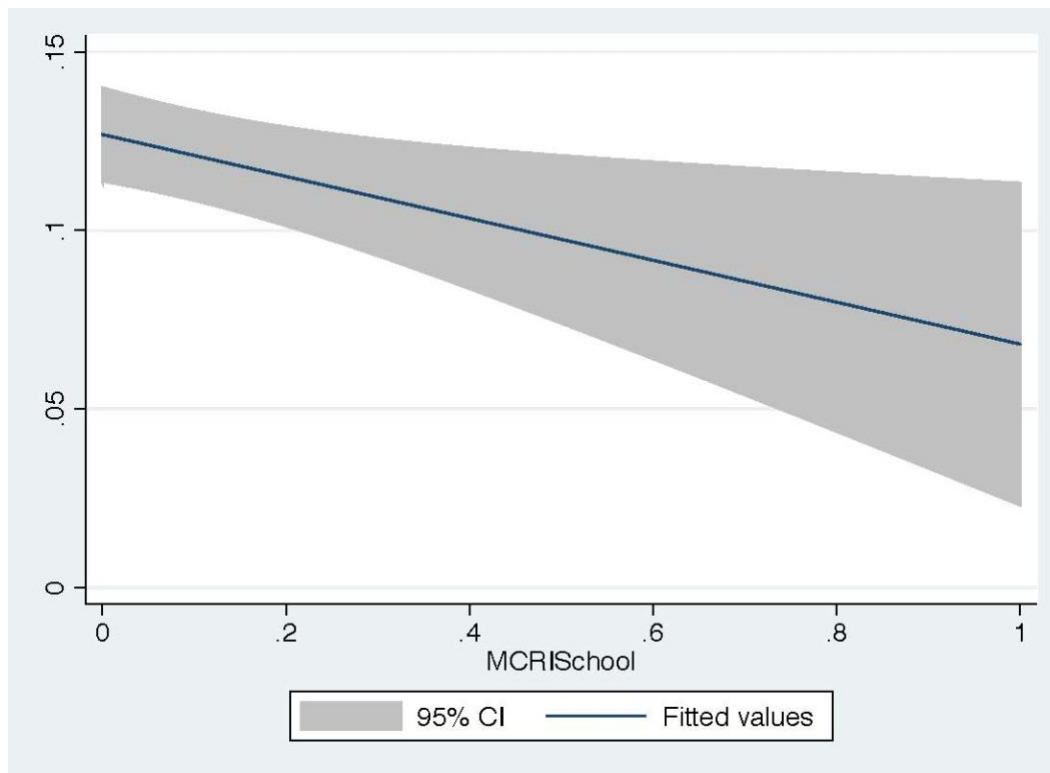


Figure 14, African American Enrollments for Public Flagships with Affirmative Action Bans

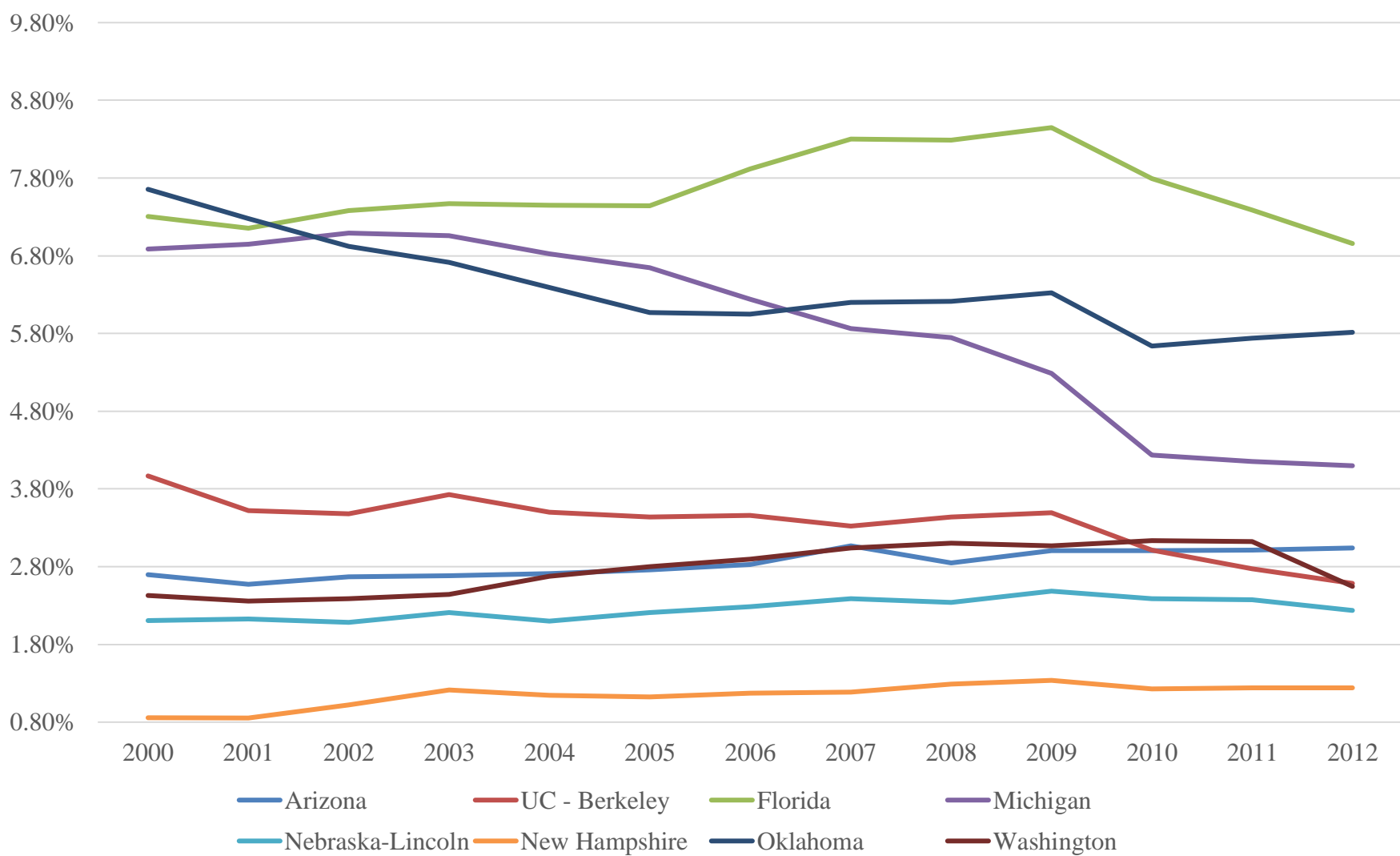


Figure 15, African American Completions for Public Flagships with Affirmative Action Bans

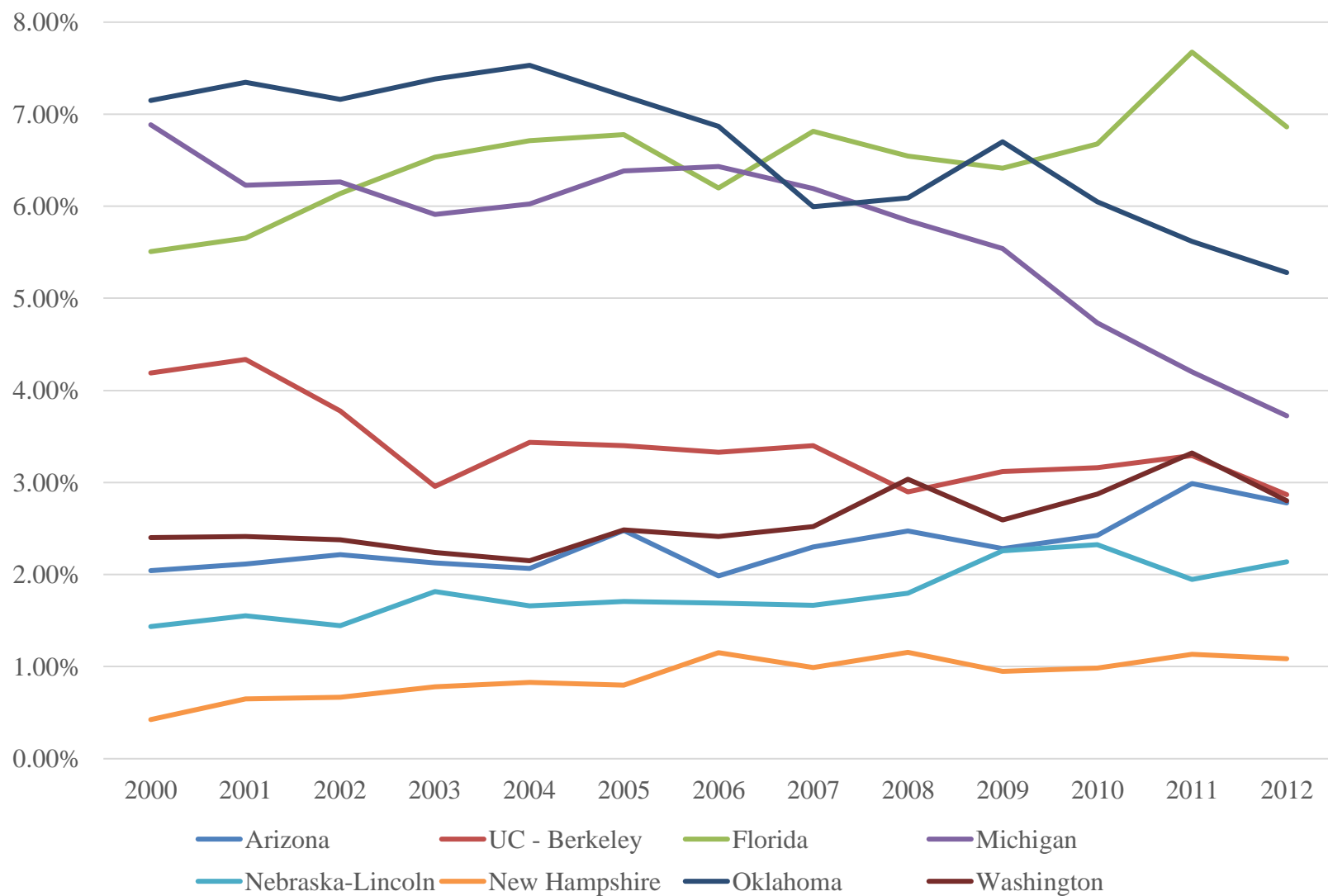


Figure 16, National Public Flagship Fall African American Enrollment

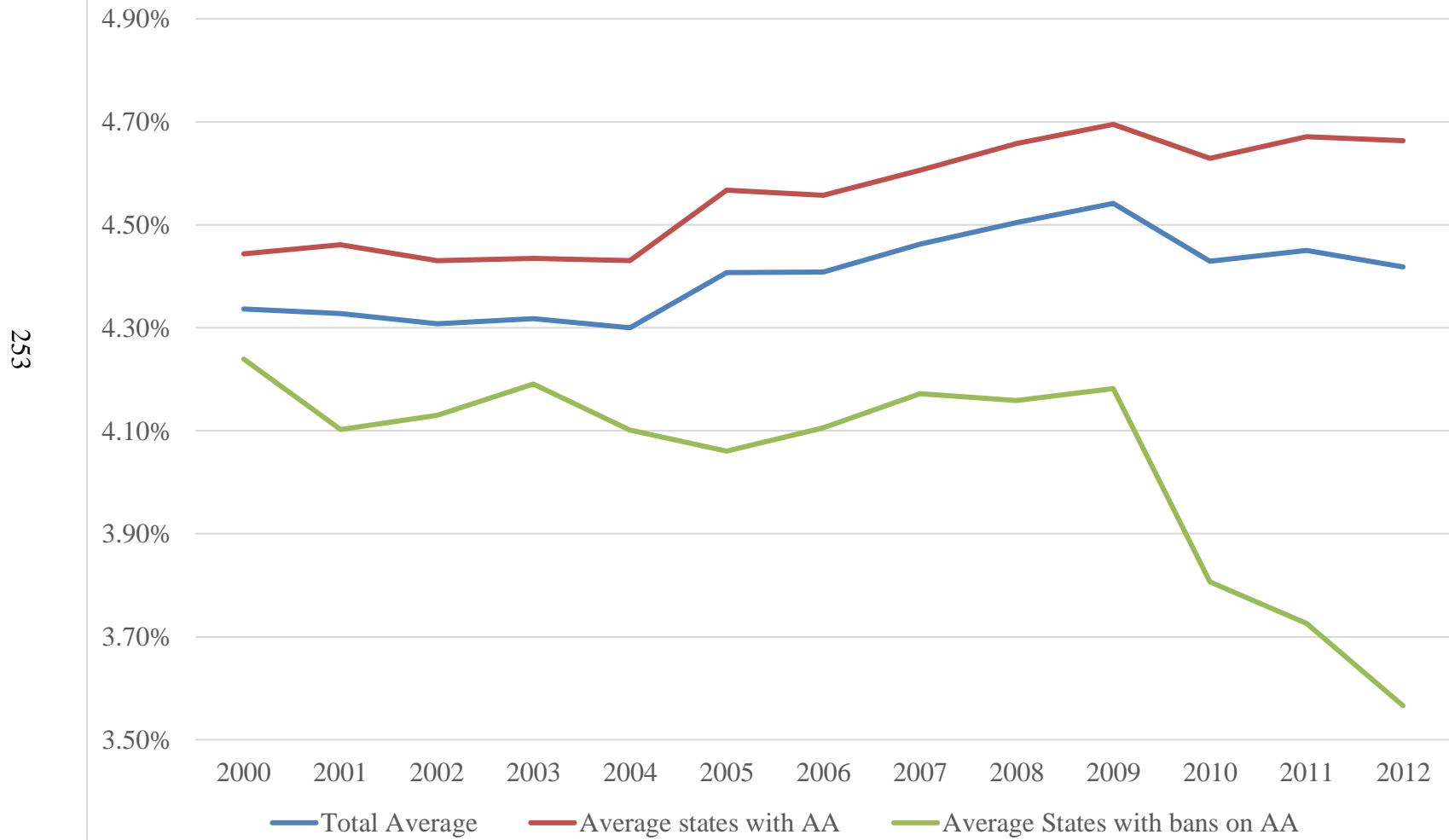
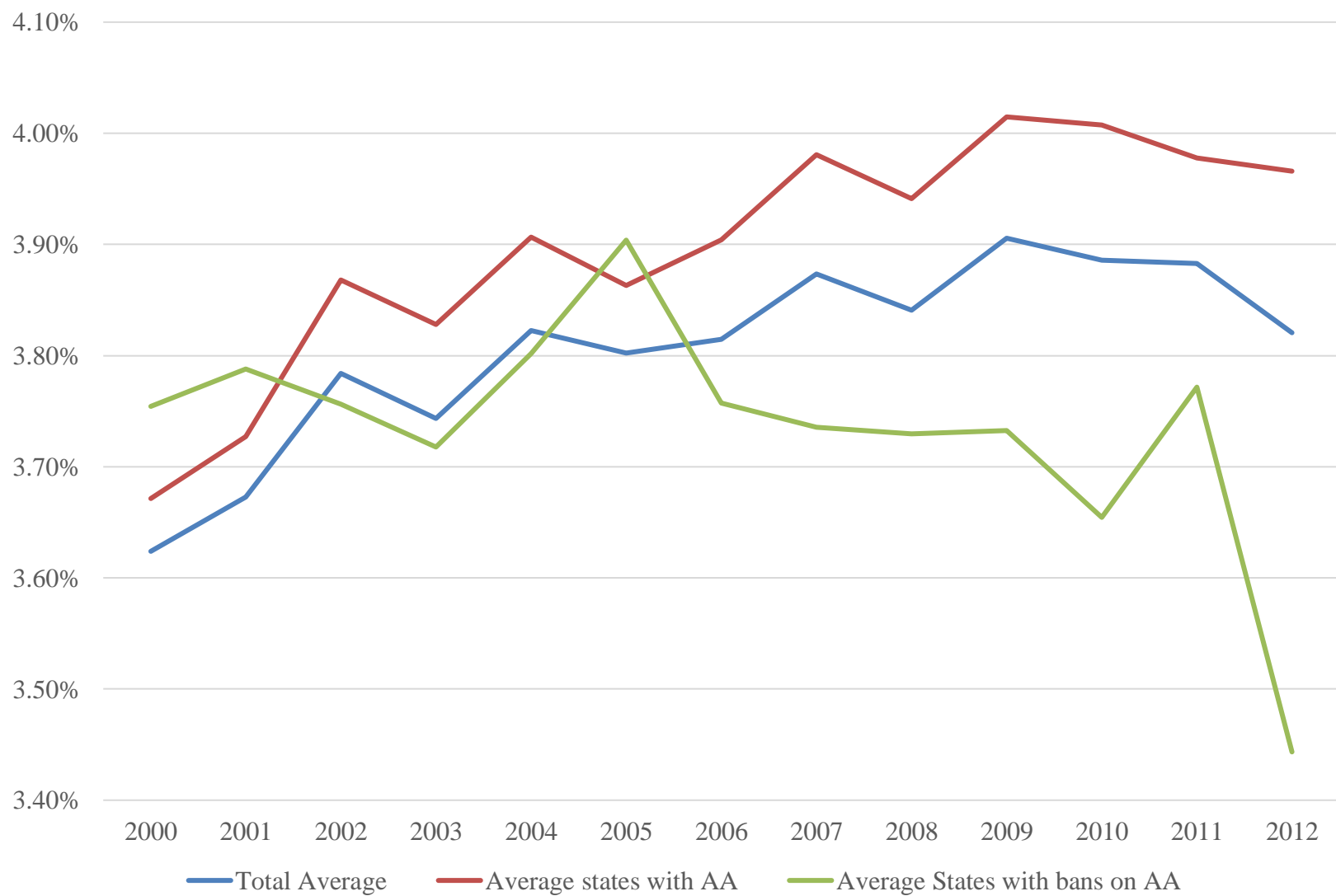


Figure 17, National Public Flagship African American Completions



CHAPTER SEVEN – CONCLUSION: WHAT CAUSED DIFFERENT PATTERNS OF BLACK STUDENT ENROLLMENTS AND COMPLETIONS AT UM AND UK, AND WHAT ABOUT UWO?

After reviewing the results of the three components of this study, state politics (structural), and university variables (including strategies, media scrutiny, and social movement activity) are the strongest explanatory factors. Unfortunately, little can be said about national context, but there is reason to believe a more critical view of Canadian progressive multiculturalism is warranted.

First, state policies in the form of the Michigan Civil Rights Initiative (MCRI) hurt UM in terms of percentage of black student completions in the regression models for 2006 and 2009 in this study and, as a selective institution, likely hurt enrollments as well (Hinrichs 2012) after 2006. Conversely, the lack of an affirmative action ban in Kentucky helped UK. Additionally, the desegregation mandate and the *Kentucky Plan*, monitored by the Kentucky Council on Postsecondary Education helped UK, while its absence hurt UM. Interestingly, Hinrichs' 2012 study focused on enrollment alone, and the MCRI variable was significant for completions in 2009 and 2012 in this study, suggesting that although Hinrichs finds that affirmative action bans have no impact on enrollment behavior for the typical student and the typical college, the MCRI was associated with a lower percentage of black student completions at less-selective public four-year universities. As a result, lower completions suggest black students enroll and do not complete, so as a student progresses, many African American students they entered college with leave. This impacts the experience of all students by creating a less racially-diverse student body at an HWCU, with a lower percentage of black students at

any given time. Further, Hinrichs' subsequent (2014) work suggested the number of black student enrollments and completions suffer in selective schools in states with affirmative action bans (although graduation rates increase at those selective institutions), but this research indicates completions in Michigan were negatively impacted at all public four-year institutions. Thus, the bans may be more impactful at less selective schools as well, and were in Michigan (which was excluded from his 2014 sample).

Second, specific university policies follow from the restrictive or conducive political contexts of these two states. The specific diversity strategies that UK followed were successful in increasing black student enrollments and completions at UK from 2000-2012. Meanwhile, the restrictive political environment in Michigan severely hampered their efforts to recruit and retain African American students. As a selective, high media profile, elite university, UM was under heavy scrutiny and was the central figure in affirmative action lawsuits at the time. Additionally, being selective meant admissions processes required more explicit race-based intervention and flexible admissions processes in terms of increasing black enrollments as interviews indicated that the number of black students who qualified for admissions under rigid criteria relying on standardized test scores and grade point averages was relatively small. Between 2006-2012, UM did not adapt well to the new restrictions and saw a dramatic decline, but the enrollment decline began earlier, in 2003, after the *Gratz* and *Grutter* cases that decreased the importance of the role that race could play used in admissions decisions. As a less selective school with low social movement activity and media scrutiny, UK was able to implement more effective and at times explicit and specific policies (to achieve the specific goals in the *Kentucky Plan*) without the racial backlash.

Critics of UM, including some respondents, contend that the MCRI has been used as an excuse for lack of action. While percentage plans like those in Texas, California, and Florida have had mixed results, with some largely positive, UM administration has remained adamantly opposed to these types of plans. As noted in Chapter Four, public arguments published in national newspapers criticized percentage plans for penalize students in more demanding schools who are not in the top percentage, rely on segregated K-12 schools, and incentivize taking easier classes (UM 2000g; UM 2000h). At the same time, the recommendations of the diversity blueprints report did not seem to generate any increases in black student enrollments or completions from 2007 (when the report was written) to 2012. Subsequently, UM has implemented a “Go Blue Guarantee” in 2018, utilizing its endowment funds and guaranteeing free tuition to admitted students whose household income is under \$65,000 (UM 2017a). It is too early to see what the results of this will be, but this is a major effort at a class-based substitute in an environment where racial affirmative action is prohibited. As black enrollments and completions have remained stagnant after 2006 at UM and not recovered significantly like they did in other states with bans, these criticisms of administration appear to have some merit.

Additionally, some legal scholarship indicates that states selective universities in states with affirmative action bans may have a legal case to actually consider race in order to comply with Title VI of the Civil Rights Act of 1964 to remedy federal “racial effect discrimination (West-Faulcon 2009). There is no evidence in this study indicating whether or not UM has pursued this argument. Once again, the media scrutiny and attention that UM faces resulting from its selectivity and history of lawsuits and social movements likely contribute to a more cautious, conservative approach.

Finally, little can be said about the case of UWO, because the university did not collect any data on the race of students in the time period from 2000-2012. This is significant. In the U.S., to abstain from tracking racial data is a goal of those who advocate for colorblind social policy. The argument, essentially, is that race is invoked too often, talked about too much, and this emphasis on race increases racial tension. Instead, the ideal should be colorblindness, but this approach hinders any discussion or addressing of systemic or structural causes of racial inequality. Instead, it leaves these structures functional. Multiculturalism, on the surface, appears to be in opposition to colorblindness. In this way, multiculturalism is a positive, however interview data at UWO revealed disparities in the ways black Canadians and other visible minorities experienced campus relative to their white Canadian counterparts. I argue that the multiculturalist perspective of Canada has led Canadian universities, UWO included, to believe they do not need to track racial data for their students. The result is that while people I interviewed discussed racist incidents on the UWO campus, there is no data to show the prevalence of these types of incidents or if these respondents' experiences are representative of a hostile campus climate, which would likely negatively impact black student enrollments and completions at UWO. Thus, I call this *racism-blind multiculturalism*. Since the University of Toronto is now taking the lead, at the request of black students, and beginning to track race data for students, further research on *racism-blind multiculturalism* will be possible in the coming years, to determine if the neglect of collecting race data was indeed concealing a deeper issue of racism at Canadian universities.

See Table 32 for a comprehensive summary of the preceding factors discussed in this chapter.

HYPOTHESES REVISITED

Recall the four hypotheses in this study. The first hypothesis, H₁ suggested that the federal and state contexts mattered (Stainback and Tomaskovic-Devey 2012).

Ultimately, state context mattered very much, as the desegregation mandate in Kentucky and the aggressive steps taken in response under the leadership of Lee Todd Jr.

contributed to Kentucky's success in increasing African American student enrollments and completions from 2000 – 2012, and the MCRI had a negative impact on black

student completions in 2009 and 2012 at public four-year institutions in Michigan and likely negatively impacted enrollments as well since Michigan is a selective institution

(Hinrichs 2012). Ultimately, however, H₁ also suggested federal policies related to multiculturalism were positively related to effectiveness of diversity programs as opposed to an assimilationist federal policy orientation. Results here are a bit more complicated.

In terms of the multiculturalist perspective in Canada, during the period from 2000-2012, interviewees spoke about the large increase in international students at UWO.

Specifically, they said when the new president (who was born in Bangladesh), Amit Chakma, took his position in 2009 he made it a goal to increase international students and at the undergraduate level it has gone from three percent to eleven percent. UWO was unique in invoking international students in the conversations about diversity, whereas they were largely absent at UK and UM, with some respondents at UM even criticizing their inclusion. For purposes of this study, diversity was operationalized as black student enrollments and completions, and UWO does not have data, so it is not possible to make

a cross-national comparison of the impact of federal context, but with the low population of black Canadians and the orientation toward international diversity contrasted with the U.S. federal Title VI mandate, which had an impact positively after the Civil Rights Act of 1964, the results on H₁ are partial. The U.S. context was a positive where the Title VI mandate was enforced, and the impact of the Canadian multicultural context was probably, I argue, not as positive as originally predicted.

So context matters, but context can also be used as an excuse; other public flagships in states with affirmative action bans did not see the same declines in black student enrollments and completions as UM. At the same time, the UK context which involved an external desegregation mandate led to policies that helped produce an increase in black student enrollments and completions. Alternatively, UWO's racism-blind multiculturalism led to a dearth in policies related to racial diversity at UWO.

The second hypothesis, H₂, comes out of research indicating that diversity discourse does not facilitate conversations about equality and justice, and is often watered down to the point of losing meaning (Bell & Hartmann 2007; Berrey 2015; Embrick 2006). Additionally, the language of colorblind racism has been argued to enable the reproduction of racial inequality (Bonilla-Silva 2018). I argued that diversity discourse is the institutionalization of colorblind rhetoric, and that diversity programs that lack specificity would be less effective in terms of increasing black student enrollments and completions. In this study, UK had the greater increase in black enrollments and completions compared to UM during the period from 2000-2012 and was under a federal desegregation mandate with explicit goals. The President's Commission on Diversity, brought together by then-president Lee Todd Jr., addressed much of these challenges,

assigning tasks to specific individuals in an effort to meet the requirements of the mandate. While the language was, at times, still broad and vague, the language of the mandate was clear and provided clear goals, and UK's policies post-2006 were often more specific than those of UM (in a legal context that constrained the ability of UM to match). Meanwhile, at the University of Michigan, having admissions policies being under the national microscope in light of lawsuits that began in the late 1990s and ended in 2003, and then being constrained by a statewide ban on the use of race, language had to adapt to this restrictive environment, and explicit references to race decreased dramatically. Correspondingly, UM saw a decline in black student enrollments and completions. Still, other states found effective means of at least preserving the levels of African American student enrollments and completions under affirmative action bans, so perhaps there are more specific policies to achieve racial diversity that are still compliant with a ban, but UM does not seem to have utilized those types of strategies. For UWO, the strategy of pursuing international enrollment was successful, however some UM respondents disagreed as to whether that should be considered diversity. In terms of first nations students and other visible minorities in Canada, there is no data to determine effectiveness of policies; there were some specific policies for first nations students, but almost nothing institutionally for other visible minority students generally (or black Canadian students specifically). Lack of data prevents any conclusions on results, however it seems that the black Canadian student population at UWO was relatively low from 2000 to 2012 based on the sum of what interview respondents indicated. This pattern generally supports H₂, with the caveat that in Kentucky the mandate was where the more explicit directives came from.

The third and fourth hypotheses, H₃ and H₄, relate to how the origin of a program impacts its success. They posit that top-down programs are less likely to be internalized and thus unlikely to be as successful and well-received (H₃), while bottom-up programs stemming from internal social movements will be more effective and more likely to be internalized by the organization (H₄). The research here conditionally refutes H₃, in that the top-down approach in UK was successful in increasing black student enrollments and completions. Importantly, this was in response to a mandate external to the university that forced the hand of top administrators. Thus, the top-down approach was effective at least partly due to outside monitoring. Interestingly, this monitoring occurred because Kentucky is a southern state that was deemed to have not adequately addressed the vestiges of de jure segregation in the South since the passage of the Civil Rights Act of 1964 and was in violation of Title VI. As a northern state, although they were under heavy media scrutiny for other reasons, UM seemed to escape the U.S. Department of Education's view in light of the fact that the school had even lower black student enrollments than UK.

As for H₄, it appears this may have also been refuted. Social movement activity at UM was higher than UK, but could have contributed to more negative media attention. Whether it did and to what degree it did is difficult to determine, and because the MCRI seemed to stifle social movement activity during the time period from 2000-2012 and there was not notable social movement activity at Kentucky during that time either, the results of H₄ are largely inconclusive. Further, the mandate in Kentucky was ultimately a result of the Civil Rights Movement, and thus, indirectly caused by a social movement. Thus, it is difficult to draw a clear conclusion on H₄.

CANADA AND RACISM-BLIND MULTICULTURALISM

What about UWO and the Canadian case. Based on this study, it seems that people with differing racial identities have differential experiences at the University of Western Ontario. This is not a representative sample, however, but a sample like that is not feasible to attain due to the lack of race data for students at Canadian universities. In this way, Canadian institutions are a step behind U.S. HWCUs, but it is impossible to know. The racism-blind multiculturalism that Canadian universities subscribe to does not allow for any examination of racial climate, racial disparities, or any meaningful racial data. Canadian universities need to first begin collecting and analyzing race data for students before they know of any systemic change that is needed.

UWO had an initiative in internationalizing the student body under the leadership of their president that was effective, but in terms of black students, the only programs or initiatives that their movements (through student organizations) generated were programs that their student organizations hosted; there was no notable direct protest to the institution from 2000 to 2012, and no institutional response related to black students. While some people of color spoke about instances of discrimination in ways that were similar to instances described in the U.S. (Feagin, Vera & Imani 1996), there was no data available. The prided position of multiculturalism, I argue, served a similar function to the colorblind ideology in the U.S. that gets heavily criticized by scholars of race; multiculturalism and the false perception that it produces a racial utopia leads to a denial and rejection of the realities of racism. Racism-blind multiculturalism at UWO, therefore, although appearing to be color-conscious on the surface, serves the same function as colorblind racism in ignoring the way race structures and impacts the

experiences of people of color on that campus. This idea of racism-blind multiculturalism certainly warrants more conceptual development as it is not yet understood at the same level of colorblind racism.

PRACTICAL APPLICATIONS

This study looks at black student admissions and completions at HWCUs in the early 2000s. In conducting the literature review, reviewing archived websites, and having conversations with numerous individuals involved in diversity work in higher education institutions, the complaints and challenges that people of color face at these institutions have remained largely constant over the last 50+ years.

Some types of racist incidents have become commonplace at these institutions, particularly in the U.S. In 2015, a series of racist incidents occurred at the University of Missouri, ultimately leading to protests over the inaction of administration, culminating in a protest by the football team and the resignation of the university president. At universities across the country, black students made their experiences and challenges at HWCUs known, including at Michigan and Kentucky. In fact, at Michigan, two years prior to the Mizzou protests, a hashtag created by the Black Student Union, “#BBUM” (which stood for *Being Black at the University of Michigan*) went viral, with black students documenting microaggressions and macroaggressions that they faced during their time at UM. In Kentucky, a meeting of black student leaders with the president in November of 2015 presented an opportunity for them to express 18 issues that were impediments to their success at the university. While the meeting itself occurred after the events at Mizzou, it was in the works prior to those events as the frustrations of black students had been simmering and escalating.

During the course of this research, as well, the political climate changed dramatically. There has been a steady increase in political polarization over the last several years, however the election of the 45th president of the United States, with his explicit and direct way of expressing racially insensitive remarks and sentiments, has been associated with an increase in biased incidents on college campuses across the nation and increased frustration and marginalization for students of color on HWCU campuses, which are not insulated from or immune to changes in the larger political climate. Many people feel empowered to express sentiments that they had been concealing (often using the rhetorical tools and frames of colorblind racism) and the Southern Poverty Law Center has tracked an increase in the number of hate groups, their membership rosters, and their violent activity since the election.

Certainly campus climate is not the only factor impacting black student enrollment and graduation at HWCUs, but it is a significant one. What can be done? First, it is important to acknowledge HWCUs for what they are, institutions that were designed to serve white male students, and particularly, those with financial means. In the 1860s, for example, when the University of Kentucky was founded, it was not founded with the intention of serving the diverse student body that it is pursuing now. The same can be said of a number of HWCUs across the nation. With this understanding, HWCUs in the U.S. need to start over. Just as Feagin recommends a new U.S. Constitution to better reflect the diversity of the U.S. (Feagin 2014), Universities need to extensively review policies from top to bottom, with the diversity of their new constituencies in mind, and with a committee that accurately reflects that diversity (in terms of race, ethnicity, sexual orientation, gender identity, social class, ability, etc.)

helping to rewrite the policies. In terms of race, these universities began catering to white students, and when other students were admitted, they were invited to join white institutions guided by white logics and built for white populations, although the word “white” never appeared. Repeatedly, students of color have expressed frustrations, obstacles, and repeatedly HWCUs have failed to meaningfully respond to these legitimate grievances. It is time to start over.

For any of this to happen requires a recognition of these problems and mobilization by a multiracial coalition of students, faculty, staff, and administrative professionals in higher education who are truly committed to racial equity in higher education. The discourse of diversity, which does not allow for conversations about racial inequality (similar to how the frames of colorblind racism operates to deny or rationalize racial inequality on an individual level), must be abandoned in these conversations. Instead, the coalition must set the discourse in explicit terms, such that all parties are speaking the same language, and the resulting change is real and meaningful.

UK, in this study, appears to have done things right. By assigning specific responsibility and utilizing a task force (the PCD), which is one of the most effective ways of increasing management diversity in corporations, UK followed some of the best practices established by research on this topic (Dobbin & Kalev 2007; Dobbin, Kalev & Kelly 2007). The development of these policies and strategies that came through the PCD were from a multidisciplinary committee of faculty, staff, and administrators who did so under the pressure of an external mandate. This mandate helped to ensure that these policies were successful – they had to be! In fact, one respondent who was interviewed at UK and heavily involved in so-called diversity work explained their belief

that universities do not lack diversity because people do not understand how to achieve it, they lack diversity due to a lack of effort. That is to suggest, when the mandate came down on UK to diversify and specifically to increase black student enrollment and retention, and the external pressure was applied, UK did what it needed to do, and UK already knew how to do it.

This study affirms that assigning responsibility to specific people or utilizing a diversity task force can be an effective means of increasing black student enrollments and completions. Further, since the desegregation mandate had concrete targets, it suggests that having clear explicit goals about race and representation in the student body is effective. At the same time, under conditions where the consideration of race is prohibited, some public flagships (unlike UM) were able to sustain their levels of black student enrollments and completions; the approaches in states where bans have not been as devastating should be, as applicable, replicated to the extent possible in other contexts like UM. For Texas, this was the Top 10 program, which helped Texas recover after an initial setback. In Florida, where their desegregation mandate had been satisfied when the ban came into effect, no such setback existed, so it seems class-based solutions are alternatives that can be effective. At the same time, it appears race is the best proxy for race, so in spite of its shortcomings, universities should support efforts to preserve the option of considering race in admissions and financial aid decisions. Finally, while multiculturalism is often lauded and has many positive attributes, blind support for multiculturalism can coexist with hostile racial climates for people of color, and racism-blind multiculturalism can produce similar results to colorblind racism.

HWCUs in the U.S. and Canada face challenges in enrolling and graduating black students. Some of these challenges come from the political, social, and cultural context, but much can be done internally. Universities that were designed by and for white people, but truly desire to become inclusive of African American and other students of color, need to critically examine their policies, procedures, rules, and institutional culture. They should implement specific, hard-hitting diversity programs, developed in conjunction with conversations and input from people of color at their universities as a multiracial coalition, in order to increase their diversity and inclusion. Context, although important, cannot be an excuse for inaction or inadequate action.

Table 32. Summary of Impact of Contextual and University Factors (Including the Source of an Initiative) on Black Enrollments and Completions and Results

	<u>UK</u> Obstructive	<u>UM</u> Obstructive	<u>UWO</u> Unitary
National Political Structure (H ₁)			
V1 Supreme Court Decisions	Yes	Yes	No
V2 Conservative National Politics	Yes	Yes	No
State/Provincial Politics (H ₁)	Liberal to Conservative	Liberal to Conservative	Liberal
V3 Ban on Use of Race	No	Yes	Not applicable
V4 Desegregation Mandate (H ₃ & H ₄)	Yes	None	None
Demographics (H ₁)			
V5 Percent black	Moderate	Moderate	Low
V6 Percent nonwhite	Moderate	Moderate	Moderate
V7 Immigration	Moderate	Moderate	High
University Variables			
V8 Elite University	No	Yes	No
V9 High Endowment	No	Yes	No
V10 Specific diversity strategies (H ₂)	Yes	No	No
V11 University social movement (H ₃ & H ₄)	Low	High	Low
V12 Media scrutiny	Low	High	Low
Dependent Variables			
Black enrollment	Moderate / high	Low / Moderate	Unknown, probably low
Black completions	Moderate / high	Low	Unknown, probably low

Appendix - Semi-Structured Interview Guide (Note: italicized questions not applicable to students)

Part I – Background

1. First, let's talk about your background. Where did you grow up?
2. What type of neighborhood did you grow up in?
 - a. Was it lower-, working-, middle-, or upper-class?
 - b. What was the racial composition?
 - c. Were your neighbors similar to you in demographics, SES, etc.?
 - d. How does it compare to the neighborhood you live in now?
3. What's your educational background?
 - a. What about your parents or guardians?
4. What led you to your career/college choice?
5. What made you want to work at this organization/attend this university?
6. How long have you worked here/attended here?
 - a. *What other previous jobs have you held? What is the title of your position?*
 - b. *What is your professional goal at this company?*
7. Do you socialize with co-workers/classmates?
 - a. Can you describe your friends to me (e.g. their race, their position [managerial vs. non-managerial], etc.).
 - b. What types of things do you do with friends outside of the workplace / classroom?

Part II - Diversity

8. What do you believe regarding the organization/university's position on the importance of diversity here? What does "diversity" mean to the organization/university?
 - a. Does it differ from how you would define "diversity"?
 - b. Do you believe diversity is important in higher education / the workplace?
9. *How have your job duties been impacted to changes in policy since the year 2000 regarding diversity?*
10. What strategies or techniques does the organization / University use to promote diversity?
 - a. *How have these strategies changed or evolved since the year 2000?*
 - b. What was the source of these strategies or changes in strategy?
 - i. Have you read about or attended conferences concerning these strategies? If so, who paid for these conferences or materials?
 - c. Why were certain strategies chosen over others?
 - d. How was this debate framed in terms of the problem and solutions?
 - i. Who were the key players in this debate? Who worked on specific strategies, who supported or opposed them, etc.?
11. How do you measure the effectiveness of these policies?
 - a. According to your metrics, which policies are the most effective?
 - b. How many minorities are in upper management in the company? What are their races?
12. Do you identify as a minority in this organization / university?
 - a. If so, what has your experience been like working/attending here?
 - b. *Have you seen changes since 2000? If so, what types of changes?*

13. Are you satisfied with the level of diversity at the organization?
 - a. Are you satisfied with the level of effort to pursue or promote diversity?
 - b. If not, what do you think can or should be done differently?
14. Do you have any concluding questions or comments?

Archived Website References (Accessed through Wayback machine
[<http://archive.org/web/>])

University of Kentucky (UK) 2001a. "Racial Harassment." Lexington, KY: University of Kentucky, May 3, 2001. Retrieved March 22, 2015 (<http://www.uky.edu:80/Fiscal/AdminVP/racial.htm>).

University of Kentucky (UK) 2001b. "Racial Harassment: Conduct." Lexington, KY: University of Kentucky, May 3, 2001. Retrieved March 22, 2015 (<http://www.uky.edu:80/FiscalAffairs/AdminVP/racecond.htm>).

University of Kentucky (UK) 2001c. "Racial Harassment: Definition." Lexington, KY: University of Kentucky, May 3, 2001. Retrieved March 22, 2015 (<http://www.uky.edu:80/FiscalAffairs/AdminVP/racedef.htm>).

University of Kentucky (UK) 2001d. "Racial Harassment: President's Letter." Lexington, KY: University of Kentucky, May 3, 2001. Retrieved March 22, 2015 (<http://www.uky.edu:80/FiscalAffairs/AdminVP/raceletter.htm>).

University of Kentucky (UK) 2002. "The President's Commission on Diversity: Recommendations – March 2002." Lexington, KY: University of Kentucky, April 9, 2002. Retrieved March 22, 2015 (<http://www.uky.edu/PCD/Recommendations%20to%20Dr.%20Todd.ppt>)

University of Kentucky (UK) 2003a. "PCD Welcomes New Faculty of Diverse Ethnicity for 2003-2004." Lexington, KY: University of Kentucky, August 22, 2003. Retrieved March 22, 2015 (<http://www.uky.edu:80/PCD/news/newfaculty.php>)

University of Kentucky (UK) 2003b. "Our Charge." Lexington, KY: University of Kentucky, August 22, 2003. Retrieved March 22, 2015 (<http://www.uky.edu:80/PCD/about/index.php>)

University of Kentucky (UK) 2004a. "PCD General Presentation.ppt." Lexington, KY: University of Kentucky, February 12, 2004. Retrieved March 22, 2015 ([http://www.uky.edu:80/PCD/PCD General Presentation.ppt](http://www.uky.edu:80/PCD/PCD%20General%20Presentation.ppt))

University of Kentucky (UK) 2004b. "Preliminary Results of the 2004 Campus Climate Survey." Lexington, KY: University of Kentucky, May 11, 2004. Retrieved March 22, 2015 (http://www.uky.edu/PCD/ppt/Campus_Climate_Survey_PCDiversity.ppt)

University of Kentucky (UK) 2004c. "PCD Goals 04-05.xls." Lexington, KY: University of Kentucky, October 10, 2004. Retrieved March 22, 2015 (<http://www.uky.edu:80/PCD/news/PCD%20Goals%2004-05.xls>)

- University of Kentucky (UK) 2004d. "PCD Recommendations Update Report Bullets.doc." Lexington, KY: University of Kentucky, October 10, 2004. Retrieved March 22, 2015 (<http://www.uky.edu:80/PCD/news/PCD%20Recommendations%20Update%20Report%20bullets.doc>)
- University of Kentucky (UK) 2004e. "pcd library.doc." Lexington, KY: University of Kentucky, October 10, 2004. Retrieved March 22, 2015 (<http://www.uky.edu:80/PCD/news/pcd%20library.doc>)
- University of Kentucky (UK) 2004f. "UK President's Award for Diversity." Lexington, KY: University of Kentucky, October 10, 2004. Retrieved March 22, 2015 (<http://www.uky.edu:80/PCD/pad/pad%20info%20page.php>)
- University of Kentucky (UK) 2004g. "PCD bylaws.doc." Lexington, KY: University of Kentucky, October 10, 2004. Retrieved March 22, 2015 (<http://www.uky.edu:80/PCD/about/PCD%20bylaws.doc>)
- University of Kentucky (UK) 2004h. "AAP.pdf." Lexington, KY: University of Kentucky, April 5, 2004. Retrieved March 22, 2015 (<http://www.uky.edu/EVPFA/EEO/test/AAP.pdf>)
- University of Kentucky (UK) 2004i. "EEOPlan.pdf." Lexington, KY: University of Kentucky, April 5, 2004. Retrieved March 22, 2015 (<http://www.cpe.ky.gov/facts/eo/EEOPlan.pdf>)
- University of Kentucky (UK) 2004j. "Office of Equal Opportunity." Lexington, KY: University of Kentucky, April 5, 2004. Retrieved March 22, 2015 (<http://www.cpe.ky.gov/facts/eo/EEOPlan.pdf>)
- University of Kentucky (UK) 2004k. "2004 Enrollment Figures.doc." Lexington, KY: University of Kentucky, October 10, 2004. Retrieved March 22, 2015 (<http://www.uky.edu:80/PCD/news/2004%20Enrollment%20Figures.doc>)
- University of Kentucky (UK) 2006a. "President's Commission on Diversity Supports University Diversity Initiatives in 2004/2005." Lexington, KY: University of Kentucky, June 1, 2006. Retrieved March 22, 2015 (<http://www.uky.edu:80/PCD/Finance%20Committee/2004-2005%20awards.php>)
- University of Kentucky (UK) 2006b. "Cultural_Voices.ppt." Lexington, KY: University of Kentucky, June 1, 2006. Retrieved March 24, 2015 (http://www.uky.edu:80/PCD/resources/Cultural_Voices.ppt)
- University of Kentucky (UK) 2007a. "Our Charge." Lexington, KY: University of Kentucky, August 10, 2007. Retrieved March 24, 2015 (<http://www.uky.edu:80/PCD/about/index.php>)

- University of Kentucky (UK) 2007b. "PCD General Presentation.ppt." Lexington, KY: University of Kentucky, August 10, 2007. Retrieved March 24, 2015 (<http://www.uky.edu:80/PCD/ppt/drtodd.ppt>)
- University of Kentucky (UK) 2007c. "Annual Rept 05-06.doc." Lexington, KY: University of Kentucky, January 17, 2007. Retrieved March 24, 2015 (<http://www.uky.edu:80/PCD/pdf/Annual%20Rept%2005-06%20.doc>)
- University of Kentucky (UK) 2007d. "IEEO_Brochure.pdf." Lexington, KY: University of Kentucky, February 5, 2007. Retrieved March 22, 2015 (http://www.uky.edu:80/EVPFA/pdf/IEEO_Brochure.pdf)
- University of Kentucky (UK) 2008a. "Faculty and Staff Initiatives for Diversity.doc." Lexington, KY: University of Kentucky, June 10, 2008. Retrieved March 24, 2015 (<http://www.uky.edu:80/PCD/FACULTY%20STAFF%20INITIATIVES%20FOR%20DIVERSITY.doc>)
- University of Kentucky (UK) 2008b. "PCD Strategic Plan 2007-09.doc." Lexington, KY: University of Kentucky, June 10, 2008. Retrieved March 24, 2015 (<http://www.uky.edu:80/PCD/PCD%20Strategic%20Plan%2007-09.doc>)
- University of Kentucky (UK) 2009a. "AAP.pdf." Lexington, KY: University of Kentucky, September 2, 2009. Retrieved March 24, 2015 (http://www.uky.edu:80/EVPFA/EEO/pdf/UK_AAP.pdf)
- University of Kentucky (UK) 2011a. "University of Kentucky – Office for Institutional Diversity." Lexington, KY: University of Kentucky, April 12, 2011. Retrieved March 24, 2015 (<http://www.uky.edu/diversity/index.html>)
- University of Kentucky (UK) 2011b. "UK_AAP.pdf" Lexington, KY: University of Kentucky, April 1, 2011. Retrieved March 24, 2011 (http://www.uky.edu/EVPFA/EEO/pdf/UK_AAP.pdf)
- University of Kentucky (UK) 2012a. "A Community of Inclusion." Lexington, KY: University of Kentucky, January 3, 2012. Retrieved March 24, 2015 (<http://www.uky.edu/Diversity/files/AnnualReport2011web.pdf>)
- University of Kentucky (UK) 2012b. "The UK Commission on Excellence, Diversity and Inclusion." Lexington, KY: University of Kentucky, December 1, 2012. Retrieved March 24, 2015 (<http://www.uky.edu/Diversity/commission.html>)
- University of Michigan (UM) 2000a. "UM-Mission." Ann Arbor, MI: University of Michigan, March 2, 2000. Retrieved March 13, 2015 (<http://www.umich.edu/UM-Mission.html>)

- University of Michigan (UM) 2000b. "Letter from the President." Ann Arbor, MI: University of Michigan, May 30, 2000. Retrieved March 13, 2015 (<http://www.umich.edu/UM-Letter.html>)
- University of Michigan (UM) 2000c. "GM Files Brief in Support of UM in Affirmative Action Lawsuits." Ann Arbor, MI: University of Michigan, August 17, 2000. Retrieved March 13, 2015 (<http://media.gm.com/corpcom/00news/g000717a.htm>)
- University of Michigan (UM) 2000d. "Affirmative Action: Major Source of White Opposition is Racial Prejudice." Ann Arbor, MI: University of Michigan, August 17, 2000. Retrieved March 13, 2015 (http://www.umich.edu/~urecord/9900/Mar06_00/14.htm)
- University of Michigan (UM) 2000e. "Creating Racial Harmony Requires Ongoing Commitment to Communication." Ann Arbor, MI: University of Michigan, August 17, 2000. Retrieved March 13, 2015 (http://www.umich.edu/~urecord/9900/Nov08_99/12.htm)
- University of Michigan (UM) 2000f. "Fact Sheet." Ann Arbor, MI: University of Michigan, August 17, 2000. Retrieved March 13, 2015 (<http://www.umich.edu/~urel/admissions/faqs/facts.html>)
- University of Michigan (UM) 2000g. "College By The Numbers." Ann Arbor, MI: University of Michigan, August 17, 2000. Retrieved March 13, 2015 (<http://www.umich.edu/~urel/admissions/support/rhodes.html>)
- University of Michigan (UM) 2000h. "Panel Updates University Community on Admissions Lawsuits." Ann Arbor, MI: University of Michigan, August 17, 2000. Retrieved March 13, 2015 (http://www.umich.edu/~urecord/9900/Oct04_99/2.htm)
- University of Michigan (UM) 2000i. "Advisory---Statement re: Admissions Lawsuit Decision." Ann Arbor, MI: University of Michigan, February 22, 2001. Retrieved March 13, 2001 (<http://www.umich.edu/~newsinfo/Releases/2000/Dec00/r121300.html>)
- University of Michigan (UM) 2000j. "Nondiscrimination Policy Notice (March 1995)." Ann Arbor, MI: University of Michigan, May 4, 2000. Retrieved March 13, 2015 (<http://www.umich.edu/UM-Policy.html>)
- University of Michigan (UM) 2001a. "Information on Admissions Lawsuits: Amicus Briefs Filed with Sixth Circuit Court of Appeals in *Grutter v. Bollinger*." Ann Arbor, MI: University of Michigan, June 29, 2001. Retrieved March 20, 2015 (http://www.umich.edu:80/~urel/admissions/gru_amicus/)

- University of Michigan (UM) 2001b. "Information on Admissions Lawsuits: Q&A re University of Michigan Admissions Policies." Ann Arbor, MI: University of Michigan, January 3, 2001. Retrieved March 20, 2015
(<http://www.umich.edu:80/~urel/admissions/faqs/q&a.html>)
- University of Michigan (UM) 2001c. "Information on Admissions Lawsuits: Summary of The University's Legal Argument." Ann Arbor, MI: University of Michigan, June 5, 2001. Retrieved March 20, 2015
(http://www.umich.edu:80/~urel/admissions/faqs/legal_sum.html)
- University of Michigan (UM) 2001d. "Information on Admissions Lawsuits: Fact Sheet Current Status – Upcoming Events." Ann Arbor, MI: University of Michigan, August 10, 2001. Retrieved March 20, 2015
(<http://www.umich.edu:80/~urel/admissions/faqs/facts.html>)
- University of Michigan (UM) 2001e. "Opinion of Judge Friedman in the Case of *Grutter v. Bollinger et al.*.pdf." Ann Arbor, MI: University of Michigan, June 2, 2001. Retrieved March 20, 2015
(<http://www.mied.uscourts.gov/JudgesOpinions/Friedman/baf97-cv-75928.pdf>)
- University of Michigan (UM) 2001f. "Information on Admissions Lawsuits: Statements of UM Leaders in Response to March 27 Ruling by Judge Friedman." Ann Arbor, MI: University of Michigan, April 5, 2001. Retrieved March 20, 2015
(<http://www.umich.edu:80/~urel/admissions/comments/UMLeaders.html>)
- University of Michigan (UM) 2001g. "Information on Admissions Lawsuits: Questions & Answers About the University of Michigan Law School Admissions Process at Issue in *Grutter v. Bollinger, et al.*" Ann Arbor, MI: University of Michigan, April 30, 2001. Retrieved March 13, 2015
(<http://www.umich.edu/~urel/admissions/faqs/lawqa.html>)
- University of Michigan (UM) 2002a. "Professor Remains Active in Lawsuit Defense After Retirement." Ann Arbor, MI: University of Michigan, September 23, 2002. Retrieved March 20, 2015
(http://www.umich.edu:80/~urecord/0102/Sep23_02/gurin.html)
- University of Michigan (UM) 2002b. "Sixth Circuit Upholds Law School Admissions Process." Ann Arbor, MI: University of Michigan, August 14, 2002. Retrieved March 20, 2015
(<http://www.umich.edu:80/~newsinfo/Releases/2002/May02/r051402b.html>)
- University of Michigan (UM) 2002c. "Information on Admissions Lawsuits: Chronology of Key Rulings in the University of Michigan Affirmative Action Lawsuits and Other Higher Education Affirmative Action Suits." Ann Arbor, MI: University of Michigan, June 6, 2002. Retrieved March 20, 2015
(<http://www.umich.edu:80/~newsinfo/Releases/2002/May02/r051402b.html>)

- University of Michigan (UM) 2002d. "Information on Admissions Lawsuits: Overview of Recent Affirmative Action Developments." Ann Arbor, MI: University of Michigan, October 2, 2002. Retrieved March 20, 2015
(<http://www.umich.edu:80/~urel/admissions/faqs/recent.html>)
- University of Michigan (UM) 2002e. "U-M Asks Supreme Court Not To Overturn Bakke Decision." Ann Arbor, MI: University of Michigan, October 29, 2002. Retrieved March 20, 2015
(<http://www.umich.edu:80/~newsinfo/Releases/2002/Oct02/r102902.html>)
- University of Michigan (UM) 2002f. "U.S. Supreme Court Agrees to Hear Admissions Lawsuits." Ann Arbor, MI: University of Michigan, December 3, 2002. Retrieved March 20, 2015
(<http://www.umich.edu:80/~newsinfo/Releases/2002/Dec02/r120202.html>)
- University of Michigan (UM) 2003a. "Editorial: No Time for Colorblindness." Ann Arbor, MI: University of Michigan, February 24, 2003. Retrieved March 20, 2015
(<http://www.umich.edu:80/~urel/admissions/statements/coleman-15d02.html>)
- University of Michigan (UM) 2003b. "President Mary Sue Coleman Responds to Bush Administration Announcement on Affirmative Action." Ann Arbor, MI: University of Michigan, February 1, 2003. Retrieved March 20, 2015
(<http://www.umich.edu:80/~newsinfo/Releases/2003/Jan03/r011503c.html>)
- University of Michigan (UM) 2003c. "Martin Luther King Day Remarks." Ann Arbor, MI: University of Michigan, February 24, 2003. Retrieved March 20, 2015
(<http://www.umich.edu:80/~urel/admissions/statements/coleman-mlk.html>)
- University of Michigan (UM) 2003d. "U.S. Supreme Court Rules on University of Michigan Cases." Ann Arbor, MI: University of Michigan, August 4, 2003. Retrieved March 20, 2015
(<http://www.umich.edu:80/pres/speeches/030623ruling.html>)
- University of Michigan (UM) 2003e. "Comments from University Leaders." Ann Arbor, MI: University of Michigan, July 7, 2003. Retrieved March 20, 2015
(<http://www.umich.edu/news/Releases/2003/Jun03/comments.html>)
- University of Michigan (UM) 2003f. "New U-M Undergraduate Admissions Process To Involve More Information, Individual Review." Ann Arbor, MI: University of Michigan, August 30, 2003. Retrieved March 20, 2015
(<http://www.umich.edu:80/news/index.html?Releases/2003/Aug03/admissions>)
- University of Michigan (UM) 2003g. "Undergraduate Admissions 2003-2004 Application, Guidelines and Process FAQ." Ann Arbor, MI: University of

- Michigan, December 8, 2003. Retrieved March 20, 2015
(<http://www.admissions.umich.edu:80/process/faq/>)
- University of Michigan (UM) 2004a. "Frequently Asked Questions about the Proposed "Michigan Civil Rights Initiative"." Ann Arbor, MI: University of Michigan, May 28, 2004. Retrieved March 20, 2015
(http://www.umich.edu:80/~urel/admissions/new/mbp_faq.html)
- University of Michigan (UM) 2005a. "Diversity at Michigan." Ann Arbor, MI: University of Michigan, February 24, 2005. Retrieved March 21, 2015
(<http://www.diversity.umich.edu/diversity/index.html>)
- University of Michigan (UM) 2005b. "Campus Climate." Ann Arbor, MI: University of Michigan, April 4, 2005. Retrieved March 21, 2015
(<http://www.diversity.umich.edu/climate/index.html>)
- University of Michigan (UM) 2005c. "U-M 2005 Enrollment Sets Another Record." Ann Arbor, MI: University of Michigan, November 1, 2005. Retrieved March 20, 2015
(<http://www.umich.edu/news/index.html?Releases/2005/Oct05/r102605>)
- University of Michigan (UM) 2005d. "Futuring Diversity: Center for Institutional Diversity." Ann Arbor, MI: University of Michigan, November 16, 2005. Retrieved March 21, 2015 (<http://www.diversity.umich.edu/futuring/index.html>)
- University of Michigan (UM) 2005e. "Office of Institutional Equity: Office Mission." Ann Arbor, MI: University of Michigan, November 20, 2005. Retrieved March 21, 2015 (<http://www.umich.edu/~hrraa/oie/mission.htm>)
- University of Michigan (UM) 2006a. "Frequently Asked Questions about the Proposed "Michigan Civil Rights Initiative"." Ann Arbor, MI: University of Michigan, September 2, 2006. Retrieved March 20, 2015
(http://vpcomm.umich.edu/admissions/new/mbp_faq.html)
- University of Michigan (UM) 2006b. "Diversity Blueprints Formed for Post-Proposal 2 Brainstorming." Ann Arbor, MI: University of Michigan, December 14, 2006. Retrieved March 21, 2015 (http://www.ur.umich.edu/0607/Nov20_06/22.shtml)
- University of Michigan (UM) 2006c. "U-M Diversity Blueprints Task Force Begins Work." Ann Arbor, MI: University of Michigan, December 28, 2007. Retrieved March 21, 2015 (<http://www.ns.umich.edu/htdocs/releases/story.php?id=3068>)
- University of Michigan (UM) 2007a. "Task Force Seeks Ideas at Jan. 10 Forum." Ann Arbor, MI: University of Michigan, December 14, 2007. Retrieved March 21, 2015 (http://www.ur.umich.edu/0607/Jan08_07/01.shtml)

- University of Michigan (UM) 2007b. "Diversity Blueprints." Ann Arbor, MI: University of Michigan, March 15, 2007. Retrieved March 21, 2015 (<http://www.diversity.umich.edu/about/bp-ugrad-admiss.php>)
- University of Michigan (UM) 2007c. "Creating an Inclusive Community: What are Hate Crimes and Bias Incidents?" Ann Arbor, MI: University of Michigan, July 3, 2007. Retrieved March 21, 2015 (<http://www.urespect.umich.edu/community6.html>)
- University of Michigan (UM) 2007d. "Creating an Inclusive Community: Respect@Michigan." Ann Arbor, MI: University of Michigan, October 21, 2007. Retrieved March 21, 2015 (<http://www.urespect.umich.edu/involved1.html>)
- University of Michigan (UM) 2007e. "Frequently Asked Questions." Ann Arbor, MI: University of Michigan, July 3, 2007. Retrieved March 21, 2015 (<http://www.urespect.umich.edu/faq.html>)
- University of Michigan (UM) 2007f. "Diversity: The Michigan Difference." Ann Arbor, MI: University of Michigan, November 5, 2007. Retrieved March 21, 2015 (<http://www.diversity.umich.edu/about/>)
- University of Michigan (UM) 2008a. "National Center for Institutional Diversity: Rationale and History." Ann Arbor, MI: University of Michigan, February 11, 2008. Retrieved March 21, 2015 (<http://www.ncid.umich.edu/about/rationale.shtml>)
- University of Michigan (UM) 2008b. "Admissions Process Back on Track." Ann Arbor, MI: University of Michigan, January 10, 2008. Retrieved March 21, 2015 (http://www.ur.umich.edu/0607/Jan15_07/01.shtml)
- University of Michigan (UM) 2008c. "Diversity Blueprints Taking Shape." Ann Arbor, MI: University of Michigan, January 10, 2008. Retrieved March 21, 2015 (http://www.ur.umich.edu/0607/Feb19_07/01.shtml)
- University of Michigan (UM) 2008d. "Diversity Matters at Michigan Website Goes Live." Ann Arbor, MI: University of Michigan, January 9, 2008. Retrieved March 21, 2015 (http://www.ur.umich.edu/0708/Oct08_07/10.shtml)
- University of Western Ontario (UWO) 2000a. "Student Development Centre: The University of Western Ontario." London, ON, Canada: University of Western Ontario, August 17, 2000. Retrieved June 12, 2017 (<http://www.sdc.uwo.ca:80/>)
- University of Western Ontario (UWO) 2000b. "Student Development Centre: Attention International Students." London, ON, Canada: University of Western Ontario, October 2, 2000. Retrieved June 13, 2017 (<http://www.sdc.uwo.ca:80/int/isc.html>)

- University of Western Ontario (UWO) 2001a. "Welcome to the Gay Lesbian Bi-Sexual Transgendered Homepage." London, ON, Canada: University of Western Ontario, January 24, 2001. Retrieved June 12, 2017 (<http://www.sdc.uwo.ca:80/psych/glbt/>)
- University of Western Ontario (UWO) 2001b. "First Nations Services." London, ON, Canada: University of Western Ontario, June 4, 2001. Retrieved June 13, 2017 (<http://www.sdc.uwo.ca:80/firstN/>)
- University of Western Ontario (UWO) 2001c. "Peer Helper Program." London, ON, Canada: University of Western Ontario, September 5, 2001. Retrieved June 13, 2017 (<http://www.sdc.uwo.ca:80/firstN/page3.html>)
- University of Western Ontario (UWO) 2002a. "Race Relations – Equity Services Explains..." London, ON, Canada: University of Western Ontario, January 13, 2002. Retrieved June 13, 2017 (<http://www.uwo.ca:80/equity/text/race/explain.html>)
- University of Western Ontario (UWO) 2003a. "Equity Services Annual Report: May 1, 2002 to April 30, 2003." London, ON, Canada: University of Western Ontario, December 11, 2003. Retrieved July 5, 2017 (<http://www.uwo.ca:80/equity/publications.htm>)
- University of Western Ontario (UWO) 2004a. "Equity Services." London, ON, Canada: University of Western Ontario, April 30, 2004. Retrieved July 5, 2017 (<http://www.uwo.ca:80/equity/publications.htm>)
- University of Western Ontario (UWO) 2005a. "A Message from the President." London, ON, Canada: University of Western Ontario, September 12, 2005. Retrieved July 12, 2017 (http://www.uwo.ca:80/equity/faq_answers/pres_message.htm)
- University of Western Ontario (UWO) 2005b. "Equity Services: Employment Equity & Diversity – Diversity Initiatives." London, ON, Canada: University of Western Ontario, October 31, 2005. Retrieved July 12, 2017 (http://www.uwo.ca:80/equity/employ_equity/initiatives.htm)
- University of Western Ontario (UWO) 2005c. "Equity Services: Employment Equity & Diversity – Diversity Objectives." London, ON, Canada: University of Western Ontario, October 31, 2005. Retrieved July 12, 2017 (http://www.uwo.ca:80/equity/employ_equity/objectives.htm)
- University of Western Ontario (UWO) 2005d. "Myths and Realities." London, ON, Canada: University of Western Ontario, October 31, 2005. Retrieved July 12, 2017 (http://www.uwo.ca:80/equity/docs/equity_myths_reality.pdf)

University of Western Ontario (UWO) 2007a. "Engaging the Future: Final Report of the Task Force on Strategic Planning." London, ON, Canada: University of Western Ontario, February 9, 2007. Retrieved July 12, 2017 (http://www.uwo.ca:80/pvp/strategic_plan/report/01.htm)

University of Western Ontario (UWO) 2007b. "Code of Student Conduct." London, ON, Canada: University of Western Ontario, April 17, 2007. Retrieved July 12, 2017 (<http://www.uwo.ca/univsec/board/code.pdf>)

University of Western Ontario (UWO) 2008a. "Equity & Human Rights Services: Training and Workshops." London, ON, Canada: University of Western Ontario, June 9, 2008. Retrieved July 12, 2017 (<http://www.uwo.ca:80/equity/training.htm>)

University of Western Ontario (UWO) 2008b. "Employment Equity & Diversity – Frequently Asked Questions." London, ON, Canada: University of Western Ontario, April 20, 2008. Retrieved July 12, 2017 (<http://www.uwo.ca:80/equity/employment/faq.htm>)

University of Western Ontario (UWO) 2017a. "Western University Diversity and Inclusion Plan (2011-2015) For Faculty and Staff." London, ON, Canada: University of Western Ontario. Retrieved July 13, 2017 (www.uwo.ca/equity/doc/diversity_inclusion_plan.pdf)

REFERENCES

- Alexander, Michelle. 2012. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York City, NY: The New Press.
- Allport, Gordon. 1954. *The Nature of Prejudice*. New York City, NY: Perseus Books Publishing, L.L.C.
- Alon, Sigal, and Marta Tienda. 2007. "Diversity, Opportunity, and the Shifting Meritocracy in Higher Education." *American Sociological Review* 72(4):487-511.
- Arntfield, Michael. 2015. *Murder City: The Untold Story of Canada's Serial Killer Capital, 1959-1984*. Altona, Manitoba, Canada: FriesenPress.
- Bell, Derrick A. 1980. "Brown v. Board of Education and the Interest-Convergence Dilemma." *Harvard Law Review* 93(3):518-533.
- Bell, Joyce M. and Douglas Hartmann. 2007. "Diversity in Everyday Discourse: The Cultural Ambiguities and Consequences of "Happy Talk"." *American Sociological Review* 72(6):895-914.
- Berrey, Ellen. 2015. *The Enigma of Diversity: The Language of Race and the Limits of Racial Justice*. Chicago, IL: The University of Chicago Press.
- Bertrand, Marianne and Sendhil Mullainathan. 2004. "Are Emily and Greg More Employable than Lakisha and Jamal? A field Experiment on Labor Market Discrimination." *American Economic Review* 94(4):991-1013.
- Bobo, Lawrence. 2000. "Race and Beliefs About Affirmative Action: Assessing the Effects of Interests, Group Threat, Ideology, and Racism." in *Racialized Politics: The Debate about Racism in America*. Sears, edited by David O., James Sidanius, and Lawrence Bobo. Chicago, IL: University of Chicago Press.
- Bobo, Lawrence, and Vincent L. Hutchings. 1996. "Perceptions of Racial Group Competition: Extending Blumer's Theory of Group Position to a Multiracial Social Context." *American Sociological Review* 61(6):951-72.
- Bonilla-Silva, Eduardo. 2001. *White Supremacy and Racism in the Post-Civil Rights Era*. Boulder, CO: Lynne Rienner Publishers.
- Bonilla-Silva, Eduardo. 2012. "The Invisible Weight of Whiteness: The Racial Grammar of Everyday Life in Contemporary America." *Ethnic and Racial Studies* 35(2): 173-194.

- Bonilla-Silva, Eduardo. 2018. *Racism Without Racists: Color-Blind Racism and the Persistence of Racial Inequality in America*, 5th Edition. Lanham, MD: Rowman & Littlefield Publishers, Inc.
- Bowen, William G. and Derek Bok. 2000. *The Shape of the River: Long-Term Consequences of Considering Race in College and University Admissions*. Princeton, NJ: Princeton University Press.
- Carr, Leslie G. 1997. *"Color-blind" Racism*. Thousand Oaks, CA: SAGE Publications, Inc.
- CBC News. 2011. "Western Ontario Top Party School: Playboy." April 14, 2011. Retrieved March 16, 2018 (<http://www.cbc.ca/news/canada/western-ontario-top-party-school-playboy-1.1057310>).
- Collins, Sharon. 1997. *Black Corporate Executives: The Making and Breaking of the Black Middle Class*. Philadelphia, PA: Temple University Press.
- Conley, Dalton. 1999. *Being Black, Living in the Red: Race, Wealth, and Social Policy in America*. Berkeley, CA: University of California Press.
- Corbin, Juliet and Anslem Strauss. 2015. *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory*, 4th Edition. Thousand Oaks, CA: SAGE Publications, Inc.
- Cose, Ellis. 1993. *The Rage of a Privileged Class: Why Are Middle-Class Blacks Angry? Why Should America Care?* New York City, NY: HarperCollins Publishers.
- Charmaz, Kathy. 2015. *Constructing Grounded Theory*, 2nd Edition. Thousand Oaks, CA: SAGE Publications, Inc.
- Chudacoff, Howard P. (2015). *Changing The Playbook: How Power, Profit, and Politics Transformed College Sports*. Champaign, IL: University of Illinois Press.
- D'Souza, Dinesh. 1995. *The End of Racism*. New York City, NY: The Free Press.
- Darity, William. 2008. "Forty Acres and a Mule in the 21st Century." *Social Science Quarterly* 89(3):656:664.
- Dickson, Lisa M. 2006. "Does Ending Affirmative Action in College Admissions Lower the Percent of Minority Students Applying to College?" *Economics of Education Review* 25:109-119.
- DiMaggio, Paul J. and Walter W. Powell. 1983. "The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields." *American Sociological Review* 48(2):147-160.

- Dobbin, Frank and Alexandra Kalev. 2007. "The Architecture of Inclusion: Evidence from Corporate Diversity Programs." *Harvard Journal of Law & Gender* 30:279-301.
- Dobbin, Frank. 2009. *Inventing Equal Opportunity*. Princeton, NJ: Princeton University Press.
- Dobbin, Frank, Alexandra Kalev, and Erin Kelly. 2007. "Diversity Management in Corporate America." *Contexts* 6:21-28.
- Dobbin, Frank, Daniel Schrage, and Alexandra Kalev. 2015. "Rage Against the Iron Cage: The Varied Effects of Bureaucratic Personnel Reforms on Diversity." *American Sociological Review* 80(5): 1014-1044.
- Dovidio, John F., Anja Eller, and Miles Hewstone. 2011. "Improving Intergroup Relations Through Direct, Extended and Other Forms of Indirect Contact." *Group Processes & Intergroup Relations* 14:147-160.
- Dovidio, John F. and Samuel L. Gaertner. 1996. "Affirmative Action, Unintentional Racial Biases, and Intergroup Relations." *Journal of Social Issues* 52(4):51-75.
- Edelman, Laura B., Sally R. Fuller, and Iona Mara-Drita. 2001. "Diversity Rhetoric and the Managerialization of Law." *American Journal of Sociology* 106:1589-1641.
- Ely, Robin J. and David A. Thomas. 2001. "Cultural Diversity at Work: The Effects of Diversity Perspectives on Work Group Processes and Outcomes." *Administrative Science Quarterly* 46(2):229-273.
- Embrick, David G. 2011. "The Diversity Ideology in the Business World: A New Oppression for a New Age." *Critical Sociology* 37(5):1-16.
- Feagin, Joe R. 2010. *The White Racial Frame: Centuries of Racial Framing and Counter-Framing*. New York City, NY: Routledge.
- Feagin, Joe R. 2014. *Racist America: Roots, Current Realities, and Future Reparations, 3rd Edition*. New York City, NY: Routledge.
- Feagin, Joe R. and Hernán Vera. 1995. *White Racism*. New York City, NY: Routledge.
- Feagin, Joe R., Hernán Vera and Nikitah Imani. 1996. *The Agony of Education: Black Students at White Colleges and Universities*. New York City, NY: Routledge.
- Feagin, Joe R. and Melvin P. Sikes. 1994. *Living With Racism: The Black Middle-Class Experience*. Boston, MA: Beacon Press.

- Fernandez, Roberto M. and Isabel Fernandez-Mateo. 2006. "Networks, Race, and Hiring." *American Sociological Review* 71:42-71.
- Ford, Chris. 2014. "Remembering Tony Sullivan." *Kentucky Herald-Leader* October 19, 2014. Retrieved March 16, 2018 (<http://www.kentucky.com/opinion/op-ed/article44516547.html>).
- Fraser, Nancy. 1997. *Justice Interruptus: Critical Reflections on the "Postsocialist" Condition*. New York: Routledge.
- Glazer, Nathan. 1987. *Affirmative Discrimination: Ethnic Inequality and Public Policy*. Cambridge, MA: Harvard University Press.
- Grodsky, Eric. 2007. "Compensatory Sponsorship in Higher Education." *American Journal of Sociology* 112:1662-1712.
- Henricks, Kasey. 2018. "I'm Principled Against Slavery, but ...": Colorblindness and the Three-Fifths Debate." *Social Problems*. spx018, <https://doi-org.ezproxy.uky.edu/10.1093/socpro/spx018>.
- Herring, Cedric. 2009. "Does Diversity Pay?: Race, Gender, and the Business Case for Diversity." *American Sociological Review* 74(2):208-224.
- Hinrichs, Peter. 2012. "The Effects of Affirmative Action Bans on College Enrollment, Educational Attainment, and the Demographic Composition of Universities." *The Review of Economics and Statistics* 94(3):712-722.
- Hinrichs, Peter. 2014. "Affirmative Action Bans and College Graduation Rates." *Economics of Education Review* 42:43-52.
- Hinrichs, Peter. 2016. "Affirmative Action and Racial Segregation." *Federal Reserve Bank of Cleveland, Working Paper* 16-36.
- Collins, Patricia Hill. 2000. *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. New York City, NY: Routledge.
- Colburn, David R., Charles E. Young and Victor M. Yellen. "Admissions and Public Higher Education in California, Texas, and Florida: The Post-Affirmative Action Era." *InterActions: UCLA Journal of Education and Information Studies* 4(1).
- Jain, Harish C. 1990. "Affirmative Action/Employment Equity Programs in Canada: Issues and Policies." *Labor Law Journal* 41(8):487-492.
- Jain, Harish C., Frank Horwitz and Christa L. Wilkin. 2012. "Employment Equity in Canada and South Africa: A Comparative Review." *The International Journal of Human Resource Management* 23(1):1-17.

- Janoski, Thomas E. 1998. *Citizenship and Civil Society: A Framework of Rights and Obligations in Liberal, Traditional, and Social Democratic Regimes*. Cambridge, UK: Cambridge University Press.
- Kanter, Rosabeth Moss. 1977. *Men and Women of the Corporation*. New York City, New York: Basic Books.
- Katchanovski, Ivan, Neil Nevitte and Stanley Rothman. 2015. "Race, Gender, and Affirmative Action Attitudes in American and Canadian Universities." *Canadian Journal of Higher Education* 45(4):18-41.
- Katznelson, Ira. 2005. *When Affirmative Action was White: An Untold History of Racial Inequality in Twentieth-Century America*. New York City, NY: W.W. Norton and Company, Inc.
- Kelly, Erin and Frank Dobbin. 1998. "How Affirmative Action Became Diversity Management: Employer Response to Antidiscrimination Law, 1961 to 1996." *American Behavioral Scientist* 41:960-984.
- Khalfani, Akil Koyaki. 2006. *The Hidden Debate: The Truth Revealed about the Battle over Affirmative Action in South African and the United States*. New York City, NY: Routledge.
- Kleber, John E., ed. (1992). *The Kentucky Encyclopedia*. Clark, Thomas D , Lowell H. Harrison, and James C. Klotter (associate editors). Lexington, Kentucky: The University Press of Kentucky.
- Kluegel, J. R. 1985. "If There Isn't a Problem, You Don't Need a Solution - The Bases of Contemporary Affirmative-Action Attitudes." *American Behavioral Scientist* 28:761-784.
- Kluegel, James R. and Eliot R. Smith. 1982. "Whites' Beliefs about Blacks' Opportunity." *American Sociological Review* 47:518-532.
- Kurtulus, Fidan Ana. 2012. "Affirmative Action and the Occupational Advancement of Minorities and Women During 1973-2003." *Industrial Relations: A Journal of Economy and Society* 51(2):213-246.
- Kymlicka, Will. 1995. *Multicultural Citizenship: A Liberal Theory of Minority Rights*. New York City, NY: Oxford University Press.
- Kymlicka, Will. 2007. *Multiracial Odysseys: Navigating the New International Politics of Diversity*. New York City, NY: Oxford University Press.

- Leck, Jaonne D. and David M. Saunders. 1992. "Canada's Employment Equity Act: Effect on Employee Selection." *Population Research and Policy Review* 11:21-49.
- Lepadatu, Darina and Thomas Janoski. 2011. *Diversity at Kaizen Motors: Gender, Race, Age, and Job Insecurity*. Lanham, MD: University Press of America.
- Lipsitz, George. 2006. *The Possessive Investment in Whiteness: How White People Profit From Identity Politics*. Philadelphia, PA: Temple University Press.
- Liptak, Adam. 2013. "Supreme Court Invalidates Key Part of Voting Rights Act." *The New York Times* June 25, 2013. Retrieved March 16, 2018 (<http://www.nytimes.com/2013/06/26/us/supreme-court-ruling.html>).
- Massey, Douglas S. and Nancy A. Denton. 1993. *American Apartheid: Segregation and the Making of the Underclass*. Cambridge, MA: Harvard University Press.
- McAdam, Doug and W. Richard Scott. 2005. "Organizations and Movements." in *Social Movements and Organization Theory*, edited by G.F. Davis, D. McAdam, W.R. Scott, and M. Zald. Cambridge, UK: Cambridge University Press.
- McCall, Leslie. 2001. *Complex Inequality: Gender, Class, and Race in the New Economy*. New York City, NY: Routledge.
- Merton, Robert K., Marjorie Fiske and Patricia L. Kendall. 1990. *The Focused Interview: A Manual of Problems and Procedures (2nd ed.)*. New York City, NY: Free Press.
- Norton, Michael I. and Samuel R. Sommers. "White See Racism as a Zero-Sum Game That They Are Now Losing." *Perspectives on Psychological Science* 6(3):215-218.
- Nosek, Brian A., Mahzarin R. Banaji and Anthony G. Greenwald. 2002. "Harvesting Implicit Group Attitudes and Beliefs from a Demonstration Web Site." *Group Dynamics: Theory, Research, and Practice* 6(1):101-115.
- Odendahl, T., & Shaw, A. 2002. "Interviewing Elites." in *Handbook of Interview Research: Context and Methodology* (pp. 299-316), edited by J. Gubrium & J. Holstein. Thousand Oaks, CA: Sage.
- Oliver, Melvin and Thomas Shapiro. 2006. *Black Wealth / White Wealth: A New Perspective on Racial Inequality*. New York City, NY: Routledge.
- Pager, Devah. 2007. *Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration*. Chicago, IL: University of Chicago Press.

- Parsons, Talcott. 1965. "Full Citizenship for the Negro American? A Sociological Problem." *Daedalus* 94:1009-1054.
- Pettigrew, Thomas F. and Linda R. Tropp. 2006. "A Meta-Analytic Test of Intergroup Contact Theory." *Journal of Personality & Social Psychology* 90:751-783.
- Pride, Richard A. 2000. "Public Opinion and the End of Busing: (Mis)Perceptions of Policy Failure." *Sociological Quarterly* 41:207-225.
- Reid, Landon D. 2010. "The Role of Perceived Race and Gender In the Evaluation of College Teaching on RateMyProfessors.com." *Journal of Diversity in Higher Education* 3(3):137-152.
- Reynolds, Christopher. 2016. "U of T to Track Race-Based Data of its Students." *Toronto Star* February 22, 2016. Retrieved March 16, 2018 (<https://www.thestar.com/news/gta/2016/02/22/u-of-t-to-track-race-based-data-of-its-students.html>).
- Roediger, David R. 2006. *Working Toward Whiteness: How America's Immigrants Became White: The Strange Journey From Ellis Island to the Suburbs*. New York City, NY: Basic Books.
- Rosenfeld, Jake and Meredith Kleykamp. 2012. "Organized Labor and Racial Wage Inequality in the United States." *American Journal of Sociology* 117(5):1460-1502.
- Royster, Deirdre A. and Stephen Steinberg. 2003. *Race and the Invisible Hand: How White Networks Exclude Black Men from Blue-Collar Jobs*. Los Angeles, CA: University of California Press.
- Rushton, Jean-Philippe. 2000. *Race, Evolution, and Behavior: A Life History Perspective, 3rd edition*. Port Huron, MI: Charles Darwin Research Institute.
- Sanchez, Juan I. and Nohora Medkik. 2004. "The Effects of Diversity Awareness Training on Differential Treatment." *Group and Organization Management* 29:517-536.
- Schiappa, Edward, Peter B. Gregg and Dean E. Hewes. 2005. "The Parasocial Contact Hypothesis." *Communications Monographs* 72(1):92-115.
- Scott, W. Richard. 1998. *Organizations: Rational, Natural, and Open Systems*. Upper Saddle River, NJ: Prentice Hall.
- Shuman, Howard and Maria Krysan. 1999. "A Historical Note on Whites' Beliefs about Racial Inequality." *American Sociological Review* 64(6): 847-855.

- Skrentny, John D. 1996. *The Ironies of Affirmative Action: Politics, Culture, and Justice in America*. Chicago, IL: University of Chicago Press.
- Small, Mario L. and Christopher Winship. 2007. "Black Students' Graduation From Elite Colleges: Institutional Characteristics and Between-Institution Differences." *Social Science Research* 36(3): 1257-1275.,
- Sniderman, Paul M. and Edward G. Carmines. 1999. *Reaching Beyond Race*. Cambridge, MA: Harvard University Press.
- Snipp, C. Matthew. 2010. "Defining Race and Ethnicity: The Constitution, the Supreme Court, and the Census." in *Doing Race: Essays for the 21st Century*, edited by Hazel Rose Markus & Paula M.L. Moya. New York City, NY: W.W. Norton & Company, Inc.
- Stainback, Kevin and Donald Tomaskovic-Devey. 2012. *Documenting Desegregation: Racial and Gender Segregation in Private-Sector Employment Since the Civil Rights Act*. New York City, NY: Russell Sage.
- Stainback, K., C. L. Robinson, and D. Tomaskovic-Devey. 2005. "Race and Workplace Integration - A Politically Mediated Process?" *American Behavioral Scientist* 48:1200-1228.
- Steinberg, Stephen. 1981. *The Ethnic Myth: Race, Ethnicity, and Class in America*. Boston, MA: Beacon Press.
- Stoker, Laura. 1998. "Understanding Whites' Resistance to Affirmative Action: The Role of Principled Commitments and Racial Prejudice." in *Perception and Prejudice*, edited by J. Hurwitz and M. Peffley. New Haven, CT: Yale University Press.
- Strayhorn, Terrell L. 2012. *College Students' Sense of Belonging: A Key to Educational Success for All Students*. New York City, NY: Routledge.
- Sue, Derald Wing. 2010. *Microaggressions in Everyday Life: Race, Gender, and Sexual Orientation*. Hoboken, NJ: John Wiley & Sons, Inc.
- Taylor, Marylee C. 1998. "How White Attitudes Vary with the Racial Composition of Local Populations: Numbers Count." *American Sociological Review* 63:512-535.
- Tomaskovic-Devey, Donald. 1993. *Gender and Racial Inequality at Work: The Sources and Consequences of Job Segregation*. Ithaca, NY: ILR Press.
- Thomas, Adèle and Harish C. Jain. 2004. "Employment Equity in Canada and South Africa: Progress and Propositions." *The International Journal of Human Resource Management* 15(1):36-55.

- Turco, Catherine J. 2010. "Cultural Foundations of Tokenism: Evidence from the Leveraged Buyout Industry." *American Sociological Review* 75:894-913.
- Turner, Rhiannon N. and Richard J. Crisp. 2010. "Imagining intergroup contact reduces implicit prejudice." *British Journal of Social Psychology* 49:129-142.
- University of Michigan (UM). 2017a. "Go Blue Guarantee: Four Years of Free U-M Tuition." Retrieved June 27, 2017 (<https://goblueguarantee.umich.edu>).
- University of Michigan (UM). 2017b. "Trotter Multicultural Center: About." Retrieved November 13, 2017 (<https://trotter.umich.edu/about>).
- University of Western Ontario. 2017a. "UWO Scholarships, Awards, and Financial Aid 2011-12." Retrieved November 13, 2017 (http://www.ipb.uwo.ca/documents/2012_scholarships_awards_financial_aid.pdf).
- University of Western Ontario. 2017b. "Common University Data Ontario – 2011: Western University." Retrieved November 13, 2017 (<http://www.ipb.uwo.ca/documents/cudo2011.pdf>).
- West, Cornel. 2001. *Race Matters*. Boston, MA: Beacon Press.
- West-Faulcon, Kimberly. 2009. "The River Runs Dry: When Title VI Trumps State Anti-Affirmative Action Laws." *University of Pennsylvania Law Review*. 157(4):1075-1160
- Williams, David R., James S. Jackson, Tony N. Brown, Myriam Torres, Tyrone A. Forman and Kendrick Brown. 1999. "Traditional and Contemporary Prejudice and Urban Whites' Support for Affirmative Action and Government Help." *Social Problems*. 46(4):503–527.
- Wilson, William Julius. 1987. *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy*. Chicago: University of Chicago Press.
- Wilson, William Julius. 2012. "Race and Affirming Opportunity in the Barack Obama Era." *Du Bois Review: Social Science Research on Race* 9(1):5-16.
- Wingfield, Adia Harvey. 2012. *No More Invisible Man: Race and Gender in Men's Work*. Philadelphia, PA: Temple University Press.
- Yancey, George. 2003. *Who is White?: Latinos, Asians, and the New Black/Nonblack Divide*. Boulder, CO: Lynne Rienner Publishers.

- Zald, Mayer N. and Roberta Ash. 1966. "Social Movement Organizations: Growth, Decay and Change." *Social Forces*. 44(3):327-341.
- Zald, Mayer N. and Michael A. Berger. 1978. "Social Movements in Organizations: Coup d'Etat, Insurgency, and Mass Movements." *American Journal of Sociology*. 83(4):823-861.
- Zinn, Howard. *A People's History of the United States*. New York City, NY: HarperCollins Publishers.

VITA

DAVID JOHN LUKE

EDUCATIONAL INSTITUTIONS ATTENDED AND DEGREES ALREADY AWARDED

Graduate Certificate in Applied Statistics, University of Kentucky (Lexington, KY), 2013

M.A., Sociology, University of Kentucky (Lexington, KY), 2012

Thesis Title: *Multiracial Churches: An Unusual Arrangement*

B.S., Sociology, Grand Valley State University (Allendale, MI), 2007

B.B.A., Accounting, Grand Valley State University (Allendale, MI), 2007

PROFESSIONAL POSITIONS HELD

Director

University of Kentucky – Center for Graduate and Professional Diversity Initiatives

January 2018 - present
Lexington, Kentucky

Associate Director

University of Kentucky – Martin Luther King Center

December 2016 – December 2017
Lexington, Kentucky

Assistant Director

University of Kentucky – Martin Luther King Center

June 2015 – December 2016
Lexington, Kentucky

Graduate Teaching Assistant

University of Kentucky – Department of Sociology

August 2012 – May 2015
Lexington, Kentucky

Kentucky NSF EPSCoR Data Manager

University of Kentucky – Center for Applied Energy Research

July 2013 – May 2015
Lexington, Kentucky

Graduate Research Assistant

University of Kentucky – Department of Sociology

August 2010 – August 2012
Lexington, Kentucky

Staff / Senior Accountant (CPA)

Yeo & Yeo, P.C. CPAs and Business Consultants

January 2008 – July 2010
Lansing, Michigan

SCHOLASTIC AND PROFESSIONAL HONORS

2017 John A. O'Donnell Award for Outstanding Graduate Student given by the University of Kentucky Department of Sociology

2015 Academic Excellence Scholarship for a Graduate Student given by the University of Kentucky Student Government Association

2014 A&S Certificate for Outstanding Teaching given by the University of Kentucky College of Arts & Sciences

2014 Department of Sociology Graduate Student Teaching Award given by the University of Kentucky Department of Sociology

- 2014 Doris Wilkinson Award for Outstanding Paper in Work, Medical and Social Inequalities, given by the University of Kentucky Department of Sociology
- 2007 Thomas M. Seykora Award for Outstanding Contribution at Grand Valley State University

PROFESSIONAL PUBLICATIONS

BOOKS

- Luke, David. 2014. *The Causes of Structural Unemployment*. London: Polity Press. (with Thomas Janoski and Christopher Oliver)

PEER-REVIEWED PUBLICATIONS

- Ray, Victor, Antonia Randolph, Megan Underhill and David Luke. (2017). "Critical Race Theory, Afro-Pessimism, and Racial Progress Narratives." *Sociology of Race and Ethnicity*. 3(2):147-158.
- Luke, David J. and Carrie B. Oser. (2015). "Ebony and Ivory: Interracial Dating Intentions and Behaviors of Disadvantaged African American Women in Kentucky." *Social Science Research*. 53:338-350.
- Luke, David J. (2015). "Race vs. Class: Is the Market Colorblind?" *disClosure: A Journal of Social Theory*. 24 (3):24-42.

OTHER ARTICLES AND CHAPTERS

- Luke, David (2015). "Equal Employment Opportunity Commission (EEOC)" *Encyclopedia of Economics and Society*. Edited by Frederick F. Wherry and J. Geoffrey Golson. Thousand Oaks, CA: Sage.
- Luke, David (2014). "Redlining" *Encyclopedia of Human Services and Diversity*. Edited by Linwood H. Cousins and J. Geoffrey Golson. Thousand Oaks, CA: Sage.
- Luke, David (2014). "Model Minority Stereotype" *Encyclopedia of Human Services and Diversity*. Edited by Linwood H. Cousins and J. Geoffrey Golson. Thousand Oaks, CA: Sage.
- Janoski, Thomas & David Luke. (2013). "Job Creation" *Sociology of Work: An Encyclopedia*. Edited by Vicki Smith. Thousand Oaks, CA: Sage.
- Janoski, Thomas & David Luke. (2013). "Assembly" *Sociology of Work: An Encyclopedia*. Edited by Vicki Smith. Thousand Oaks, CA: Sage.

BOOK REVIEWS

- Luke, David (2016). "The Enigma of Diversity: The Language of Race and the Limits of Racial Justice." Ellen Berrey. *Sociology of Race and Ethnicity*. 2(1):121-122.

Luke, David (2014). "Christians and the Color Line: Race and Religion after Divided by Faith." Edited by J. Russell Hawkins and Phillip Luke Sinitiere. *Journal for the Scientific Study of Religion*. 53(2): 449-451.

Luke, David (2013). "Sustaining Faith Traditions: Race, Ethnicity, and Religion among the Latino and Asian American Second Generation." Edited by Carolyn Chen and Russel Jeung. *Journal for the Scientific Study of Religion*. 52(2): 447-448.

MEDIA AND IMPACT

Luke, David (2014, May 27). "The Post-Racial President and the Push for Apprenticeships." Blog post for the American Sociological Association's Organizations, Occupations and Work Section. Retrieved from <http://workinprogress.oowsection.org/2014/05/27/the-post-racial-president-and-the-push-for-apprenticeships/>

* Blog reposted at the London School of Economics and Political Science's "USAPP" daily blog on American Politics and Policy: <http://bit.ly/SfhecL>

* Blog reposted at racismreview.com: <http://bit.ly/2hShCN4>